

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1406

Short Title: Veteran & Dependents/In-State Tuition. (Public)

Sponsors: Senator Boseman.

Referred to: Education/Higher Education.

May 26, 2010

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT CERTAIN VETERANS AND THEIR DEPENDENTS MAY
3 QUALIFY FOR IN-STATE TUITION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 14 of Chapter 116 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 116-143.3A. Tuition of veterans and their dependents.**

8 (a) In-State Tuition for Veteran. – A veteran qualifying for admission to an institution
9 of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for
10 tuition purposes under G.S. 116-143.1 shall be charged the in-State tuition rate and applicable
11 mandatory fees for enrollments if the veteran satisfies all of the following criteria:

12 (1) The veteran received an honorable discharge from the armed services as
13 defined in G.S. 116-143.3 and was assigned to North Carolina at the time of
14 the honorable discharge.

15 (2) The veteran served active duty in this State for a period of at least one year.

16 (3) The veteran enrolls in the institution of higher education no later than five
17 years from the date of the honorable discharge.

18 (b) Discontinuation of Eligibility for In-State Tuition. – A veteran's eligibility for
19 in-State tuition under this section shall discontinue if the veteran fails continuously to maintain
20 North Carolina as his or her domicile for a 12-month period from the date of enrollment or if
21 the veteran abandons legal residence in this State.

22 (c) In-State Tuition for Dependents. – A dependent relative of a veteran is also eligible
23 for in-State tuition under this section if the dependent relative meets all of the following
24 criteria:

25 (1) The veteran to whom the dependent relative is related satisfies the criteria set
26 out in subdivisions (1) and (2) of subsection (a) of this section and the
27 veteran's eligibility has not been discontinued under subsection (b) of this
28 section.

29 (2) The dependent relative is abiding in this State while sharing the abode of the
30 veteran.

31 (3) The dependent relative qualifies for admission to an institution of higher
32 education as defined in G.S. 116-143.1(a)(3).

33 (4) The dependent relative enrolls in the institution of higher education no later
34 than five years from the date of the veteran's honorable discharge.

35 (5) The dependent relative complies with the requirements of the Selective
36 Service System, if applicable.



- 1 (d) Burden of Proof. – The person applying for the benefit of this section has the burden
2 of proving entitlement to the benefit.
3 (e) Limitation. – A veteran charged less than the out-of-state tuition rate solely by
4 reason of this section shall not, during the period of receiving that benefit, be the basis of
5 conferring the benefit of in-State tuition under G.S. 116-143.1."

6 **SECTION 2.** This act becomes effective July 1, 2010, and applies to academic
7 semesters beginning on or after that date.