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Indicates New Matter

COMMITTEE AMENDMENT AMENDED AND ADOPTED

June 4, 2014

**H. 3086**

Introduced by Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard

S. Printed 6/4/14--S.

Read the first time March 21, 2013.

**A** **BILL**

TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑112‑50 of the 1976 Code, as last amended by Act 133 of 2012, is further amended to read:

“Section 59‑112‑50. (A)(1) Notwithstanding another provision of law, during the period of their assignment to duty in South Carolina, members of the Armed Services of the United States stationed in South Carolina and their dependents are eligible for in‑state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in‑state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student’s previous institution in order to certify the student’s eligibility for in‑state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. ~~These persons and their dependents are eligible for in‑state tuition rates after their discharge from the armed services even though they were not enrolled at a state institution at the time of their discharge, if they have evidenced an intent to establish domicile in South Carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge.~~

(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

~~(B)~~(2) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.

(C) Notwithstanding any other provision of law, a veteran of the Armed Services of the United States, who has evidenced intent to establish domicile in South Carolina, and their dependents, are entitled to receive in‑state tuition and fees at state institutions without the requirement of one year of physical presence in this State. However, the provisions of this subsection only may be utilized once to obtain in‑state tuition for a veteran or a dependent of the veteran. After the provisions of this subsection have been used once, to continue to receive in‑state tuition, the veteran must present a South Carolina driver’s license or South Carolina Identification Card and a South Carolina Voter Registration Card. For purposes of this subsection, a ‘veteran’ is defined as an individual who has served on active duty in the United States Armed Forces and who has been honorably discharged from service.”

SECTION 2. (A) This act takes effect upon funding being provided to the Commission on Higher Education to implement the provisions of Section 59-112-50(C) as added by this act.

(B) The provisions of this Section 59‑112‑50(C) as added by this act, may be utilized until funding has been exhausted, on a first come first serve basis. Funding is exhausted when the Commission on Higher Educations determines that the appropriated funds are exceeded by the difference of the aggregate out‑of‑state tuition otherwise owed and the aggregate in‑state tuition as allowed by this act.

(C) This act sunsets August 1, 2017, and does not apply to the fall 2017 semester or session, or any semester or session beginning thereafter, unless reauthorized by the General Assembly.

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