**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4599**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Daning, Clemmons, D.C. Moss, Sellers, Brantley, Erickson, Hardwick, Kennedy, Whipper, Jefferson, Loftis, Gilliard, McEachern, Pinson, Merrill, Crawford, Umphlett, Harrison, V.S. Moss, Bowen, Gambrell, Lowe, H.B. Brown, Govan, Viers, Sottile, Whitmire, Agnew, Ballentine, Barfield, Bedingfield, Cobb‑Hunter, Gunn, Hamilton, Harrell, Harvin, Hearn, Herbkersman, Horne, Hosey, Howard, J.H. Neal, Owens, M.A. Pitts, Sandifer, Scott, D.C. Smith, G.R. Smith, Thompson, Toole, Vick, Willis, Wylie and A.D. Young

Document Path: l:\council\bills\bbm\9569bh10.docx

Introduced in the House on February 18, 2010

Introduced in the Senate on April 27, 2010

Currently residing in the Senate Committee on **Education**

Summary: Military personnel

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/18/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-18-10.docx)‑50

2/18/2010 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\02-18-10.docx)‑50

4/15/2010 House Committee report: Favorable **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑13

4/22/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑29

4/22/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑30

4/23/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\04-23-10.docx)‑1

4/27/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\04-27-10.docx)‑8

4/27/2010 Senate Referred to Committee on **Education** [SJ](file:///h:\SJ%20Archive\2010\04-27-10.docx)‑8

**VERSIONS OF THIS BILL**

[2/18/2010](file:///p:\pprever\2009-10\4599_20100218.docx)

[4/15/2010](file:///p:\pprever\2009-10\4599_20100415.docx)

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COMMITTEE REPORT

April 15, 2010

**H. 4599**

Introduced by Reps. Daning, Clemmons, D.C. Moss, Sellers, Brantley, Erickson, Hardwick, Kennedy, Whipper, Jefferson, Loftis, Gilliard, McEachern, Pinson, Merrill, Crawford, Umphlett, Harrison, V.S. Moss, Bowen, Gambrell, Lowe, H.B. Brown, Govan, Viers, Sottile, Whitmire, Agnew, Ballentine, Barfield, Bedingfield, Cobb‑Hunter, Gunn, Hamilton, Harrell, Harvin, Hearn, Herbkersman, Horne, Hosey, Howard, J.H. Neal, Owens, M.A. Pitts, Sandifer, Scott, D.C. Smith, G.R. Smith, Thompson, Toole, Vick, Willis, Wylie and A.D. Young

S. Printed 4/15/10--H.

Read the first time February 18, 2010.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 4599) to amend Section 59‑112‑50, as amended, Code of Laws of South Carolina, 1976, relating to in‑state tuition for military personnel and their dependents, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DANIEL T. COOPER for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

See Below

**EXPLANATION OF IMPACT:**

This bill would impact tuition and fee revenue collected by colleges and universities, as the provision allows some students who would otherwise pay out-of-state tuition to continue to be assessed the in-state rates upon transfer. Therefore, the receiving institutions would forego the higher revenues collected from payment of out-of-state rates. The impact on tuition and fee revenue is not readily determinable since The Commission on Higher Education (CHE) does not collect the data necessary to provide an estimate. Since the institutions are funded with a combination of state general funds and tuition and fee revenue, the impact on the General Fund of the State is at the General Assembly’s discretion. Enactment may result in a need for the institutions to adjust their tuition and fee schedules. CHE indicates institutions receiving the transfer students would also incur some administrative costs associated with conducting a review to verify residency.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, SO AS TO CONTINUE TO EXTEND IN‑STATE TUITION RATES UPON TRANSFER TO AN ELIGIBLE INSTITUTION UPON CERTAIN CONDITIONS, AND TO REQUIRE A TRANSFERRING INSTITUTION TO VERIFY ELIGIBILITY AND THE TRANSFERRING STUDENT TO PROVIDE NECESSARY DOCUMENTATION.

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 299 of 2008, is further amended to read:

“Section 59‑112‑50. Notwithstanding ~~other provisions~~ another provision of ~~this chapter~~ 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 ~~such~~ these armed service personnel are ordered away from the State, their dependents are eligible for in‑state tuition rates ~~so~~ as long as they remain continuously enrolled at the state institution ~~where~~ 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.”

SECTION 2. This act takes effect upon approval by the Governor.

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