~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 9, 2012

**S. 833**

Introduced by Senators Jackson, Courson, Lourie, Knotts, Anderson, Sheheen, Scott, Hayes, Ford, Nicholson, Leventis and Rose

S. Printed 2/9/12--S.

Read the first time April 20, 2011.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 833) to amend Section 59‑112‑50, as amended, Code of Laws of South Carolina, 1976, relating to tuition rates for military personnel and their dependents, so as to provide, etc., respectfully

**REPORT:**

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

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Based on a Commission on Higher Education survey of institutions, the bill would have a minimal to no fiscal impact. Because the language would be permissive and does not require institutions to implement provisions and set a particular rate, costs associated with the implementation, if any, would be minimal and could be absorbed.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, SO AS TO PROVIDE THAT ACTIVE DUTY MILITARY PERSONNEL MAY BE CHARGED LESS THAN THE UNDERGRADUATE TUITION RATE FOR SOUTH CAROLINA RESIDENTS FOR CERTAIN COURSES.

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 246 of 2010, is further amended to read:

“Section 59‑112‑50. (A) 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. 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) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.”

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

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