~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 12, 2015

**S. 391**

Introduced by Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer and Setzler

S. Printed 3/12/15--S.

Read the first time January 29, 2015.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 391) to amend Section 59‑112‑50 of the 1976 Code, relating to in‑state tuition rates for military personnel and their dependents under certain conditions, so as to revise, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59‑112‑50(B) of the 1976 Code is amended to read:

“(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)(1) Notwithstanding any other provision of law, a covered individual enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code are entitled to pay in‑state tuition and fees without regard to the length of time the covered individual has resided in this State.

(2) For purposes of this subsection a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or

(b) a person who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code by virtue of the person’s relationship to the veteran described in subsection (2)(a) of this section.

(3) A covered individual must live in this State while enrolled at the in‑state institution.

(4) At the conclusion of the applicable three year period in subsection (C)(2)(a), a covered individual shall remain eligible for in‑state rates as long as he remains continuously enrolled in an in‑state institution or transfers to another in‑state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in‑state institution. In the event of a transfer, the in‑state institution receiving the covered individual shall verify the covered individual’s eligibility for in‑state rates with the covered individual’s prior in state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in‑state institution.”/

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**A** **BILL**

TO AMEND SECTION 59‑112‑50 OF THE 1976 CODE, 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, AND TO DEFINE RELATED TERMINOLOGY.

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

SECTION 1. Section 59‑112‑50 of the 1976 Code is 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.~~

(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)(1) Notwithstanding any other provision of law, a covered individual enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code are entitled to pay in‑state tuition and fees without regard to length of time the covered individual has resided in this State.

(2) For purposes of this subsection a covered individual is defined as:

(a) a veteran who served ninety days or longer in active duty military service in the United States Army, United States Navy, United States Air Force, United States Coast Guard, their respective Reserve forces, and the National Guard who has been honorably discharged less than fifteen years prior to his date of enrollment; or

(b) a person who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code by virtue of the person’s relationship to the veteran described in subsection (2)(a) of this section.

(3) A covered individual must live in this State while enrolled at the in‑state institution.

(4) A covered individual shall remain eligible for in‑state rates as long as he remains continuously enrolled in an in‑state institution or transfers to another in‑state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in‑state institution. In the event of a transfer, the in‑state institution receiving the covered individual shall verify the covered individual’s eligibility for in‑state rates with the covered individual’s prior in‑state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in‑state institution.”

SECTION 2. This act takes effect on July 1, 2015.

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