**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3035**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Daning, Long, Simrill, Bales, Bradley, G.M. Smith, Weeks, W. Newton, Herbkersman, Jefferson, Mitchell, McKnight, Murphy, Johnson, Yow, Fry, McCoy, Stavrinakis, Loftis, Chumley, Arrington, Bennett, Alexander, Anderson, Gagnon, Kirby, Clyburn, S. Rivers, Davis, Crosby, Cogswell, Sottile, Spires, Atwater, Brown, Gilliard, Mack, Whipper, Martin, B. Newton, Felder, Pope, Taylor, Hixon, Elliott, V.S. Moss, G.R. Smith, Hamilton, Dillard, Robinson‑Simpson, Forrester, Allison, Hosey, Hayes, Atkinson, Douglas, Ridgeway, Norrell, Norman, Funderburk, Neal, J.E. Smith, Erickson, Bernstein, Crawford, Henegan, West, Knight, Blackwell and King

Document Path: l:\council\bills\agm\18952wab17.docx

Introduced in the House on January 10, 2017

Introduced in the Senate on February 14, 2017

Last Amended on February 8, 2017

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

Summary: In-state tuition

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2016 House Prefiled

12/15/2016 House Referred to Committee on **Education and Public Works**

1/10/2017 House Introduced and read first time ([House Journal‑page 48](file:///h:\hj\20170110.docx))

1/10/2017 House Referred to Committee on **Education and Public Works** ([House Journal‑page 48](file:///h:\hj\20170110.docx))

1/25/2017 House Member(s) request name added as sponsor: Simrill, Bales, Bradley, G.M.Smith, Weeks, W.Newton, Herbkersman, Jefferson, Mitchell, McKnight, Murphy, Johnson, Yow, Fry, McCoy, Stavrinakis, Loftis, Chumley, Arrington, Bennett, Alexander, Anderson, Gagnon, Kirby, Clyburn, S.Rivers, Davis, Crosby, Cogswell, Sottile, Spires, Atwater, Brown, Gilliard, Mack, Whipper, Martin, B.Newton, Felder, Pope, Taylor, Hixon, Elliott, V.S.Moss, G.R.Smith, Hamilton, Dillard, Robinson‑Simpson, Forrester, Allison, Hosey, Hayes, Atkinson, Douglas, Ridgeway, Norrell, Norman, Funderburk, Neal, J.E.Smith, Erickson, Bernstein, Crawford, Henegan, West, Knight

1/25/2017 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 4](file:///h:\hj\20170125.docx))

1/31/2017 House Debate adjourned until Wed., 2‑8‑17 ([House Journal‑page 26](file:///h:\hj\20170131.docx))

2/7/2017 House Member(s) request name added as sponsor: Blackwell

2/8/2017 House Member(s) request name added as sponsor: King

2/8/2017 House Amended ([House Journal‑page 10](file:///h:\hj\20170208.docx))

2/8/2017 House Read second time ([House Journal‑page 10](file:///h:\hj\20170208.docx))

2/8/2017 House Roll call Yeas‑109 Nays‑4 ([House Journal‑page 13](file:///h:\hj\20170208.docx))

2/9/2017 House Read third time and sent to Senate ([House Journal‑page 21](file:///h:\hj\20170209.docx))

2/14/2017 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h:\sj\20170214.docx))

2/14/2017 Senate Referred to Committee on **Education** ([Senate Journal‑page 13](file:///h:\sj\20170214.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3035&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/15/2016](file:///p:\pprever\2017-18\3035_20161215.docx)

[1/25/2017](file:///p:\pprever\2017-18\3035_20170125.docx)

[2/8/2017](file:///p:\pprever\2017-18\3035_20170208.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

February 8, 2017

**H. 3035**

Introduced by Reps. Daning, Long, Simrill, Bales, Bradley, G.M. Smith, Weeks, W. Newton, Herbkersman, Jefferson, Mitchell, McKnight, Murphy, Johnson, Yow, Fry, McCoy, Stavrinakis, Loftis, Chumley, Arrington, Bennett, Alexander, Anderson, Gagnon, Kirby, Clyburn, S. Rivers, Davis, Crosby, Cogswell, Sottile, Spires, Atwater, Brown, Gilliard, Mack, Whipper, Martin, B. Newton, Felder, Pope, Taylor, Hixon, Elliott, V.S. Moss, G.R. Smith, Hamilton, Dillard, Robinson‑Simpson, Forrester, Allison, Hosey, Hayes, Atkinson, Douglas, Ridgeway, Norrell, Norman, Funderburk, Neal, J.E. Smith, Erickson, Bernstein, Crawford, Henegan, West, Knight, Blackwell and King

S. Printed 2/8/17--H.

Read the first time January 10, 2017.

**A** **BILL**

TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION FOR CERTAIN PERSONS ASSOCIATED WITH THE ARMED SERVICES OF THE UNITED STATES, SO AS TO REVISE RESIDENCY REQUIREMENTS AND PROVIDE VETERANS WHO EVIDENCE THEIR INTENT TO ESTABLISH DOMICILE IN THIS STATE AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES WITHOUT HAVING ESTABLISHED A PHYSICAL PRESENCE IN THIS STATE, AND TO DEFINE RELATED TERMINOLOGY.

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 11 of 2015, 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)(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.

(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 subitem (a).

(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.~~

(D) Notwithstanding another provision of law, a veteran of the Armed Services of the United States who has evidenced intent to establish domicile in South Carolina and his dependents are entitled to receive in‑state tuition and fees at public institutions of higher education in this State without the requirement of one year of physical presence in this State. For purposes of this subsection, a ‘veteran’ means an individual who has served on active duty in the United States Armed Forces and who has been honorably discharged from such service.”

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

‑‑‑‑XX‑‑‑‑