**A** **BILL**

TO AMEND SECTION 59‑112‑50(C)(2) OF THE 1976 CODE, RELATING TO THE DEFINITION OF “COVERED INDIVIDUAL” FOR THE PURPOSES OF IN‑STATE TUITION AND FEES FOR CHILDREN AND SPOUSES OF VETERANS AND ACTIVE DUTY MILITARY PERSONNEL, TO PROVIDE THAT THE DEFINITION INCLUDES A CHILD OR SPOUSE ENROLLING WITHIN THREE YEARS OF A VETERAN’S DISCHARGE PROVIDED THAT THE CHILD OR SPOUSE WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, AND A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL KILLED IN THE LINE OF DUTY WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3311(b)(9), TITLE 38 OF THE UNITED STATES CODE; AND TO AMEND SECTION 59‑112‑50(C)(4), TO PROVIDE ELIGIBILITY FOR CONTINUOUS ENROLLMENT BEYOND THE THREE YEAR INITIAL ELIGIBILITY PERIOD.

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

SECTION 1. Section 59‑112‑50(C)(2) of the 1976 Code is amended to read:

“(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~~ or 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) who enrolls within three years of the veteran’s discharge~~.~~;

(c) a person using transferred benefits under Section 3319, Title 38 of the United States Code while the transferor is on active duty in the Uniformed Service of the United States, their respective Reserve forces, or the National Guard; or

(d) a person who is entitled to and receiving assistance under Section 3311(b)(9), Title 38 of the United States Code.”

SECTION 2. Section 59‑112‑50(C)(4) of the 1976 Code is amended to read:

“(4) At the conclusion of the applicable three year period in subsection (C)(2)(a) or (C)(2)(b), 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 3. This act takes effect upon approval by the Governor.

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