

1 SB161
2 147910-1
3 By Senator Holtzclaw
4 RFD: Veterans and Military Affairs
5 First Read: 07-FEB-13

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8 SYNOPSIS: Under existing law, a resident student for
9 purposes of determining admission and tuition for
10 state public institutions of higher education
11 includes the member or spouse of a member of the
12 United States military on full-time active duty
13 stationed in Alabama and certain members of the
14 National Guard.

15 This bill would require that certain active
16 duty service members and their spouses and
17 dependents and certain veterans be considered
18 resident students for purposes of determining
19 admission and tuition.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To amend Section 16-24-2, Code of Alabama 1975, as
26 amended by Act 2012-505, 2012 Regular Session (Acts 2012),
27 relating to residency requirements for admission and tuition

1 at public institutions of higher education; to require that
2 certain active duty service members and their spouses and
3 dependents and certain veterans be considered resident
4 students.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 16-24-2 of the Code of Alabama
7 1975, as amended by Act 2012-505, 2012 Regular Session (Acts
8 2012), is amended to read as follows:

9 "§16-64-2.

10 "(a) For purposes of admission and tuition, a public
11 institution of higher education may consider that the term
12 resident student includes any of the following:

13 "(1) One who, at the time of registration, is not a
14 minor and satisfies one of the following:

15 "a. Is a full-time permanent employee of the
16 institution at which the student is registering or is the
17 spouse of such an employee.

18 "b. Can verify full-time permanent employment within
19 the State of Alabama or is the spouse of such an employee and
20 will commence the employment within 90 days of registration
21 with the institution.

22 "~~c. Is a member or the spouse of a member of the~~
23 ~~United States military on full-time active duty stationed in~~
24 ~~Alabama under orders for duties other than attending school.~~

25 "~~c.d.~~ Is employed as a graduate assistant or fellow
26 by the institution at which the student is registering.

1 ~~"d.e.~~ Is an accredited member of or the spouse of an
2 accredited member of a consular staff assigned to duties in
3 Alabama.

4 ~~"e.f.~~ Is, at the time of passage of this chapter, a
5 student enrolled at a public college or university and who is
6 currently classified as a resident for tuition purposes
7 provided such student maintains continuous enrollment at that
8 institution.

9 ~~"g. Commencing on May 22, 2012, has been a member of~~
10 ~~the Alabama National Guard for a period of at least two years~~
11 ~~immediately preceding the student qualifying for resident~~
12 ~~tuition and continues to be a member of the Alabama National~~
13 ~~Guard while enrolled at the public institution of higher~~
14 ~~education.~~

15 "(2) One who, at the time of registration, is a
16 minor and whose supporting person satisfies one of the
17 following:

18 "a. Is a full-time permanent employee of the
19 institution at which the student is registering.

20 "b. Can verify full-time permanent employment within
21 the State of Alabama and will commence the employment within
22 90 days of registration with the institution.

23 ~~"c. Is a member of the United States military on~~
24 ~~full-time active duty stationed in Alabama under orders for~~
25 ~~duties other than attending school.~~

26 ~~"c.d.~~ Is an accredited member of a consular staff
27 assigned to duties in Alabama.

1 "(b) For purposes of admission and tuition, a public
2 institution of higher education shall consider that the term
3 resident student includes any of the following:

4 "(1) One who, at the time of registration, is not a
5 minor and satisfies one of the following:

6 "a. Is a member or the spouse of a member of the
7 United States military on full-time active duty stationed in
8 Alabama under orders other than attending school.

9 "b. Commencing on May 22, 2012, has been a member of
10 the Alabama National Guard for a period of at least two years
11 immediately preceding the student qualifying for resident
12 tuition and continues to be a member of the Alabama National
13 Guard while enrolled at the public institution of higher
14 education.

15 "c. Is a veteran of the Armed Forces of the United
16 States, provided that the veteran has evidenced an intent to
17 establish domicile in Alabama and satisfies at least one of
18 the following conditions:

19 "1. The veteran has served on active duty for a
20 continuous period of time, not less than two years, and has
21 received an honorable discharge as verified by a United States
22 Department of Defense Form 214 within one year of enrolling in
23 an Alabama public institution of higher education.

24 "2. The veteran is currently serving in a reserve
25 component of the Armed Forces of the United States, as
26 verified by a memorandum from the commanding officer of the
27 veteran student.

1 "3. The veteran has been assigned a
2 service-connected disability by the United States Department
3 of Veterans Affairs.

4 "(2) One who, at the time of registration, is a
5 minor and whose supporting person is a member of the United
6 States military on full-time active duty stationed in Alabama
7 under orders for duties other than attending school."

8 Section 2. The boards of trustees of each public
9 institution of higher education in the state shall adopt rules
10 and guidelines necessary to implement this section, as
11 amended. It is the intent of the Legislature that
12 constitutionally created boards of trustees comply with the
13 requirements of this section, as amended.

14 Section 3. This act shall become effective
15 immediately following its passage and approval by the
16 Governor, or its otherwise becoming law.