

1 HB424
2 149917-4
3 By Representatives Moore (B), Gaston, Rogers, Scott, Robinson
4 (O), Grimsley, Buskey, Lee, Chesteen, Buttram, Baker, Faust,
5 Brown, Mask, Vance, Hammon, Merrill, Jones, Beckman,
6 McCampbell, Wallace, Standridge, Howard, Bridges, Davis,
7 Johnson (K), Collins, Carns, Hall, Todd, Farley, Sanderford,
8 Roberts, Long, Ison, Love, Patterson, Tuggle, Greer,
9 Treadaway, Weaver, Wood, Drake and Johnson (W)
10 RFD: Military and Veterans Affairs
11 First Read: 07-MAR-13

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ENROLLED, An Act,

To amend Section 16-24-2, Code of Alabama 1975, as amended by Act 2012-505, 2012 Regular Session, relating to residency requirements for admission and tuition at public institutions of higher education; to require that certain active duty service members and their spouses and dependents and certain veterans be considered resident students.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§16-64-2.

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

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

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

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

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

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

6 ~~"e. d.~~ Is an accredited member of or the spouse of
7 an accredited member of a consular staff assigned to duties in
8 Alabama.

9 ~~"f. e.~~ Is, at the time of passage of this chapter, a
10 student enrolled at a public college or university and who is
11 currently classified as a resident for tuition purposes
12 provided such student maintains continuous enrollment at that
13 institution.

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

20 "(2) One who, at the time of registration, is a
21 minor and whose supporting person satisfies one of the
22 following:

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

1 "b. Can verify full-time permanent employment within
2 the State of Alabama and will commence the employment within
3 90 days of registration with the institution.

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

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

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

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

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

17 "b. Commencing on May 22, 2012, has been a member of
18 the Alabama National Guard for a period of at least two years
19 immediately preceding the student qualifying for resident
20 tuition and continues to be a member of the Alabama National
21 Guard while enrolled at the public institution of higher
22 education.

23 "c. Is a veteran of the Armed Forces of the United
24 States, provided that the veteran has become a resident of

1 Alabama and satisfies at least one of the following
2 conditions:

3 "1. The veteran has served on active duty for a
4 continuous period of time, not less than two years, and has
5 received an honorable discharge as verified by a United States
6 Department of Defense Form 214 within ~~one year~~ five years of
7 enrolling in an Alabama public institution of higher
8 education.

9 "2. The veteran is currently serving in a reserve
10 component of the Armed Forces of the United States, as
11 verified by a memorandum from the commanding officer of the
12 veteran student.

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

16 d. Is an out-of-state veteran who resides within 90
17 miles of a campus located in Alabama and has enrolled at an
18 institution whose board of trustees has voted to allow
19 nonresident in-state tuition for active and retired military.

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

24 (3) One who, at the time of registration, is a
25 full-time undergraduate student enrolled at an institution

1 whose board of trustees has authorized resident tuition rates
2 to apply to those non-resident students receiving a partial or
3 full scholarship award in recognition of a particular talent
4 or ability, provided such student possessed the talent or
5 ability at the time of initial enrollment and maintains
6 continuous scholarship eligibility at that institution.

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

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

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-APR-13, as amended.

Jeff Woodard
Clerk

Senate

20-MAY-13

Amended and Passed

House

20-MAY-13

Concurred in Sen-
ate Amendment