

Regular Session, 2012

HOUSE BILL NO. 435

BY REPRESENTATIVES LORUSSO, BROADWATER, BROWN, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, MACK, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

STUDENT/LOANS-SCHOLARSHIP: Provides scholarship opportunities to certain military veterans

1 AN ACT

2 To enact R.S. 17:2137(E), relative to resident classification for tuition purposes at public
3 colleges and universities; to provide that certain veterans shall be entitled to resident
4 classification for such purposes without regard to length of time of residency in the
5 state; to provide conditions and limitations; to provide relative to implementation;
6 to provide an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:2137(E) is hereby enacted to read as follows:

9 §2137. Tuition fees for members of the armed forces and dependents; and for
10 certain individuals who have served in the armed forces; resident
11 classification

12 * * *

1 E.(1) Except for tuition charged to a veteran eligible for benefits under the
2 Yellow Ribbon Program pursuant to a Yellow Ribbon Agreement between a public
3 postsecondary education institution and the United States Department of Veteran
4 Affairs under Title 38 U.S.C. Chapter 33, effective for the 2012-2013 academic year
5 and thereafter, a student who is a resident of Louisiana and is enrolled in or is
6 applying for enrollment in a Louisiana public college or university, who has served
7 in the Armed Forces of the United States as defined by 10 U.S.C. 101(a)(4), and who
8 also meets the requirements of Paragraph (2) of this Subsection is entitled to resident
9 classification for tuition purposes without regard to length of time of residency in the
10 state.

11 (2) In addition to the provisions of Paragraph (1) of this Subsection, the
12 student shall meet at least one of the following conditions to qualify for resident
13 classification for tuition amount purposes:

14 (a) Has served on active duty for a continuous period of no less than two
15 years, and received an Honorable Discharge, as verified by a United States
16 Department of Defense Form 214, within one year of enrolling in a Louisiana public
17 college or university.

18 (b) Is currently serving in a Reserve Component of the Armed Forces of the
19 United States as defined by 10 U.S.C.101(c) and as verified by a memorandum from
20 the student's commanding officer.

21 (c) Has been assigned a service-connected disability by the United States
22 Department of Veterans Affairs.

23 (3) The Board of Regents and each public postsecondary education
24 management board shall adopt rules and guidelines necessary to implement the
25 provisions of this Subsection.

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 2 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lorusso

HB No. 435

Abstract: Provides that a student who is a La. resident and who is enrolled in or is applying for enrollment in a La. public college or university and who has served in the U.S. Armed Forces and who meets certain other eligibility requirements shall be entitled to resident classification for tuition purposes without regard to length of time of residency in the state.

Present law provides for education of students in the state of La. Regulates public colleges, universities, or other institutions of learning with regards to requirements for admission. Provides that members of the armed forces and their dependents shall be entitled to resident classification for tuition amount purposes without regard to length of time of residency in the state. Proposed law retains present law.

Proposed law additionally provides (beginning with the 2012-2013 academic year) that a student who is a La. resident, who is enrolled in or is applying for enrollment in a La. public college or university, who has served in the U.S. Armed Forces as defined by federal law (10 U.S.C. 101(a)(4)), and who meets certain other eligibility requirements, shall be entitled to resident classification for tuition amount purposes without regard to length of time of residency in the state. Proposed law does not apply to tuition charged a student under the Yellow Ribbon Program (Title 38 U.S.C., Chapter 33).

Proposed law specifies that in addition to its other provisions, the student must meet at least one of the following conditions:

- (1) Has served on active duty for a continuous period of no less than two years, and received an Honorable Discharge, as verified by a U.S. Dept. of Defense Form 214, within one year of enrolling in a La. public college or university.
- (2) Is currently serving in a Reserve Component of the U.S. Armed Forces as defined by federal law (10 U.S.C. 101(c)) and as verified by a memorandum from the student's commanding officer.
- (3) Has been assigned a service-connected disability by the U.S. Dept. of Veterans Affairs.

Proposed law requires that the Board of Regents and each public postsecondary education management board adopt rules and guidelines to implement its provisions.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:2137(E))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Changes proposed law to make it applicable to a student who is enrolled in or is applying to enroll in a La. public college or university, who has served in the U.S. Armed Forces as defined by a specified federal law, and who also meets other proposed law requirements rather than to make it applicable to a student who is enrolled in a La. public college or university, who is a veteran, and who meets other proposed law conditions.
2. Deletes proposed law provision defining the word "veteran" to mean a person who meets at least one of the specified conditions in proposed law and provides instead that the student must meet at least one of the specified conditions to qualify for resident classification for tuition amount purposes.
3. Relative to the proposed law condition that the student is currently serving in a Reserve Component of the U.S. Armed Forces, adds provision that such service be verified by the student's commanding officer.
4. Makes technical corrections.

House Floor Amendments to the engrossed bill.

1. Authorizes tuition and residency benefits of proposed law to be granted to persons assigned a service-connected disability by the U.S. Dept. of Veterans Affairs.
2. Provides an exception to proposed law for veterans eligible for benefits under the Yellow Ribbon Program.
3. Requires persons qualifying for proposed law to be a resident of La.
4. Removes the requirement in proposed law that rules and guidelines for implementation of proposed law be promulgated in accordance with the Administrative Procedure Act.