

**Introduced by Senator Knight
(Coauthor: Senator Anderson)**

February 14, 2013

An act to amend Section 68075.5 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 290, as introduced, Knight. Nonresident tuition exemption: veterans.

Existing law establishes the segments of the public postsecondary education system in the state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, and the California Community Colleges administered by the Board of Governors of the California Community Colleges.

Existing law, with certain limitations, exempts a student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition, as specified. Existing law prohibits a former member of the Armed Forces who received a dishonorable or bad conduct discharge from receiving this exemption.

This bill would exempt all students who were members of the Armed Forces of the United States discharged within the immediately prior 2 years from paying nonresident tuition, except former members of the Armed Forces who received a dishonorable or bad conduct discharge. To the extent the bill would require community college districts to exempt more students from nonresident tuition, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68075.5 of the Education Code is
 2 amended to read:

3 ~~68075.5. (a) Except as provided for in subdivisions (b) and~~
 4 ~~(c), a student who was a member of the Armed Forces of the United~~
 5 ~~States stationed in this state on active duty for more than one year~~
 6 ~~immediately prior to being discharged shall be exempt from paying~~
 7 ~~nonresident tuition for the length of time he or she lives in this~~
 8 ~~state after being discharged up to the minimum time necessary to~~
 9 ~~become a resident.~~

10 ~~(b) (1) Except as provided for in subdivision (c), a community~~
 11 ~~college student who was a member of the Armed Forces of the~~
 12 ~~United States stationed in this state on active duty for more than~~
 13 ~~one year immediately prior to being discharged shall be exempt~~
 14 ~~from paying nonresident tuition for up to one year if he or she files~~
 15 ~~an affidavit with the community college stating that he or she~~
 16 ~~intends to establish residency in California as soon as possible.~~

17 ~~(2) The one year exemption provided in paragraph (1) shall be~~
 18 ~~used while the student lives in this state and within two years of~~
 19 ~~being discharged.~~

20 *68075.5. (a) A student who was a member of the Armed Forces*
 21 *of the United States discharged within the immediately prior two*
 22 *years shall be exempt from paying nonresident tuition.*

23 (e)

24 (b) A former member of the Armed Forces of the United States
 25 who received a dishonorable or bad conduct discharge shall not
 26 be eligible for an exemption pursuant to this section.

27 SEC. 2. If the Commission on State Mandates determines
 28 that this act contains costs mandated by the state, reimbursement

1 to local agencies and school districts for those costs shall be made
2 pursuant to Part 7 (commencing with Section 17500) of Division
3 4 of Title 2 of the Government Code.

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