

AMENDED IN SENATE MAY 1, 2013

SENATE BILL

No. 290

Introduced by ~~Senator~~ *Senators Knight and Walters*
(~~Coauthor: Senator Anderson~~)
(*Coauthors: Senators Anderson, Correa, Fuller, and Wolk*)
(*Coauthors: Assembly Members Bonilla and Beth Gaines*)

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 amended, 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 law exempts a community college 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 for up to one year if he or she files an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible, if that student uses this exemption~~

within 2 years of being discharged. 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 make this one-year exemption from payment of nonresident tuition applicable to a student enrolled, or intending to enroll, at a campus of the California Community Colleges, California State University, or University of California 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 if he or she files an affidavit with the institution at which he or she is enrolled or intends to enroll, stating that he or she intends to establish residency in California as soon as possible, and uses this exemption within 2 years of being discharged. 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~~-no.

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

- 1 SECTION 1. Section 68075.5 of the Education Code is amended
- 2 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.

1 (b) (1) Except as provided for in subdivision (c), a ~~community~~
2 ~~college~~ student *enrolled, or intending to enroll, at a campus of the*
3 *California Community Colleges, California State University, or*
4 *University of California* who was a member of the Armed Forces
5 of the United States stationed in this state on active duty for more
6 than one year immediately prior to being discharged shall be
7 exempt from paying nonresident tuition for up to one year if he or
8 she files an affidavit with the ~~community college~~ *institution at*
9 *which he or she is enrolled or intends to enroll*, stating that he or
10 she intends to establish residency in California as soon as possible.

11 (2) The ~~one-year~~ *one-year* exemption provided in paragraph (1)
12 shall be used ~~while~~ *by* the student ~~lives in this state and~~ within two
13 years of being discharged.

14 (c) A former member of the Armed Forces of the United States
15 who received a dishonorable or bad conduct discharge shall not
16 be eligible for an exemption pursuant to this section.

17 ~~SECTION 1. Section 68075.5 of the Education Code is~~
18 ~~amended to read:~~

19 ~~68075.5. (a) A student who was a member of the Armed Forces~~
20 ~~of the United States discharged within the immediately prior two~~
21 ~~years shall be exempt from paying nonresident tuition.~~

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

25 ~~SEC. 2. If the Commission on State Mandates determines~~
26 ~~that this act contains costs mandated by the state, reimbursement~~
27 ~~to local agencies and school districts for those costs shall be made~~
28 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
29 ~~4 of Title 2 of the Government Code.~~