

SENATE BILL NO. 2082
with House Amendments

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2082

Introduced by

Education Committee

(At the request of the State Board of Higher Education)

1 A BILL for an Act to amend and reenact sections 15-10-18.3 and 15-10-19.1 of the North
2 Dakota Century Code, relating to tuition and tuition waivers for veterans and their dependents
3 at state institutions of higher education.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 15-10-18.3 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-10-18.3. Free tuition in North Dakota institutions of higher education.**

8 1. Any dependent, as defined in section 15-10-18.2 upon being duly accepted for
9 enrollment into any undergraduate degree or certificate program of a North Dakota
10 state institution of higher education, must be allowed to obtain a bachelor's degree
11 or certificate of completion, for so long as the dependent is eligible, free of any
12 tuition and fee charges; provided, ~~however,~~ that ~~the~~:

13 a. The dependent has been a resident of this state for the five-year period
14 immediately preceding enrollment;

15 b. The bachelor's degree or certificate of completion is earned within a
16 forty-five-month or ten-semester period or its equivalent; and ~~further provided~~
17 that tuition

18 c. Tuition and fee charges shall do not include costs for aviation flight charges
19 or expenses.

20 2. Once a person qualifies as a dependent under sections 15-10-18.2 and
21 15-10-18.3, the dependent may not be disqualified from the benefits of this section
22 due to such an occurrence as the return of the prisoner of war or person missing in
23 action.

1 **SECTION 2. AMENDMENT.** Section 15-10-19.1 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15-10-19.1. Nonresident and resident student for tuition purposes defined.**

- 4 1. A "nonresident student" for tuition purposes means any student other than a
5 resident student.
- 6 2. A "resident student" for tuition purposes means:
- 7 a. A person whose guardian, custodial parent, or parents are legal residents of
8 this state and have resided in this state for twelve months, or a dependent
9 child whose custodial parent moved into the state with the intent to establish
10 legal residency for a period of years within the last twelve months immediately
11 prior to the beginning of the academic term;
- 12 b. A person of age eighteen or over who is a legal resident of this state and has
13 resided in this state after reaching age eighteen for twelve months
14 immediately prior to the beginning of the academic term;
- 15 c. A person who graduated from a North Dakota high school;
- 16 d. A full-time active duty member of the armed forces ~~or~~, a member of a North
17 Dakota national guard unit, or a veteran as defined in section 37-01-40;
- 18 e. A spouse or dependent of a full-time active duty member of the armed forces
19 or a member of a North Dakota national guard unit or of an employee of any
20 institution of higher education in this state, and a spouse of any other resident
21 for tuition purposes;
- 22 f. A person who was a legal resident of this state for at least three consecutive
23 years within six years of the beginning of the academic term; or
- 24 g. A child, ~~spouse~~, widow, or widower of a veteran as defined in section
25 37-01-40 who was killed in action or died from wounds or other
26 service-connected causes, was totally disabled as a result of
27 service-connected causes, died from service-connected disabilities, was a
28 prisoner of war, or was declared missing in action.
- 29 3. A temporary absence from the state for vacation or other special or temporary
30 purposes may not be considered an abandonment of residency in this state,
31 provided a residence is maintained in this state during the temporary absence.

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1 However, a student who leaves the state and resides in another state for a period
2 of months is not considered a resident of this state during those months if the
3 student does not maintain a place of residence in this state during the student's
4 absence.