

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 15-10-18.2 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 15-10-18.2 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15-10-18.2. Definitions.**

- 8 1. "Dependent" for purposes of section 15-10-18.3 means:
  - 9 a. A child, stepchild, spouse, widow, or widower of a resident veteran, as  
10 "veteran" is defined in section 37-01-40, who was killed in action or died from  
11 wounds or other service-connected causes, was totally disabled as a result of  
12 service-connected causes, died from service-connected disabilities, was a  
13 prisoner of war, or was declared missing in action; ~~or~~
  - 14 b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was  
15 killed in action or died from wounds or other service-connected causes, was  
16 totally disabled as a result of service-connected causes, died from  
17 service-connected disabilities, was a prisoner of war, or was declared missing  
18 in action, provided the child's other parent has been a resident of this state  
19 and was a resident of this state at the time of death or determination of total  
20 disability of the veteran; or
  - 21 c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was  
22 killed in action or died from wounds or other service-connected causes, was  
23 totally disabled as a result of service-connected causes, died from  
24 service-connected disabilities, was a prisoner of war, or was declared missing

1                   in action, provided the child's other parent establishes residency in this state  
2                   and maintains that residency for a period of five years immediately preceding  
3                   the child's or stepchild's enrollment at an institution under the control of the  
4                   state board of higher education.

- 5           2. "Resident veteran" means a veteran who:
- 6           a. Was born in and lived in this state until entrance into the armed forces of the  
7           United States;
- 8           b. Was born in, but was temporarily living outside this state, not having  
9           abandoned residence therein prior to entrance into the armed forces of the  
10           United States;
- 11           c. Was born elsewhere but had resided within this state for at least six months  
12           prior to entrance into military service and had prior to or during such  
13           six-month period:
- 14               (1) Registered for voting, or voted in this state;
- 15               (2) Being an unemancipated minor during such period of residence, had  
16               lived with a parent or person standing in loco parentis who had  
17               acquired a residence as set forth in this section; or
- 18               (3) If not registered for voting in this state, not registered for voting in  
19               another state; or
- 20           d. Has been a resident of this state for the ten years prior to the request for  
21           tuition waiver.

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

24           **15-10-19.1. Nonresident and resident student for tuition purposes defined.**

- 25           1. A "nonresident student" for tuition purposes means any student other than a  
26           resident student.
- 27           2. A "resident student" for tuition purposes means:
- 28           a. A person whose guardian, custodial parent, or parents are legal residents of  
29           this state and have resided in this state for twelve months, or a dependent  
30           child whose custodial parent moved into the state with the intent to establish

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