

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1272

Introduced by

Representatives Mock, Amerman, Beadle, Fehr, Gruchalla

Senator Dever

1 A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code,  
2 relating to resident tuition for spouses and dependents of veterans.

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

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

6 **15-10-19.1. Nonresident and resident student for tuition purposes defined.**

- 7 1. A "nonresident student" for tuition purposes means any student other than a resident  
8 student.
- 9 2. A "resident student" for tuition purposes means:
- 10 a. ~~A person~~An individual whose guardian, custodial parent, or parents are legal  
11 residents of this state and have resided in this state for twelve months, or a  
12 dependent child whose custodial parent moved into the state with the intent to  
13 establish legal residency for a period of years within the last twelve months  
14 immediately prior to the beginning of the academic term;
- 15 b. ~~A person~~An individual of age eighteen or over who is a legal resident of this state  
16 and has resided in this state after reaching age eighteen for twelve months  
17 immediately prior to the beginning of the academic term;
- 18 c. ~~A person~~An individual who graduated from a North Dakota high school;
- 19 d. ~~(1) A full-time active duty member of the armed forces; a;~~  
20 ~~(2) A member of at the North Dakota national guard unit, or a;~~  
21 ~~(3) A member of the armed forces reserve component stationed in this state; or~~  
22 ~~(4) A veteran, as defined in section 37-01-40;~~
- 23 e. A spouse or dependent of a:
- 24 (1) ~~A full-time active duty member of the armed forces or a;~~

- 1                   (2) A member of the North Dakota national guard unit or of an;  
2                   (3) A member of the armed forces reserve component stationed in this state;  
3                   (4) A veteran, as defined in section 37-01-40, provided the veteran is eligible to  
4                   transfer entitlement under the Post 9-11 Veterans Educational Assistance  
5                   Act of 2008 [38 U.S.C. 3301];  
6                   (5) An employee of any institution of higher education in this state, and a  
7                   spouse of any; or  
8                   (6) Any other individual who is a resident for tuition purposes;  
9                   f. ~~A person~~An individual who was a legal resident of this state for at least three  
10                   consecutive years within six years of the beginning of the academic term; or  
11                   g. A child, widow, or widower of a veteran as defined in section 37-01-40 who was  
12                   killed in action or died from wounds or other service-connected causes, was  
13                   totally disabled as a result of service-connected causes, died from  
14                   service-connected disabilities, was a prisoner of war, or was declared missing in  
15                   action.  
16                   3. A temporary absence from the state for vacation or other special or temporary  
17                   purposes may not be considered an abandonment of residency in this state, provided  
18                   a residence is maintained in this state during the temporary absence. However, a  
19                   student who leaves the state and resides in another state for a period of months is not  
20                   considered a resident of this state during those months if the student does not  
21                   maintain a place of residence in this state during the student's absence.