

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 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 benefited employee of the North Dakota university system;
- 24 f. The spouse or dependent of a;

- 1 (1) ~~A full-time active duty member of the armed forces or a;~~
2 (2) ~~A member of atthe North Dakota national guard unit or of an;~~
3 (3) ~~A member of the armed forces reserve component stationed in this state;~~
4 (4) ~~A veteran, as defined in section 37-01-40, provided the veteran is eligible to~~
5 ~~transfer entitlement under the Post 9-11 Veterans Educational Assistance~~
6 ~~Act of 2008 [38 U.S.C. 3301];~~
7 (5) ~~AnA benefited~~ employee of ~~any institution of higher education in this state,~~
8 ~~and a spouse of anythe North Dakota university system; or~~
9 (6) ~~Any other individual who is a resident for tuition purposes;~~

10 ~~f.g.~~ ~~A person~~A dependent of:

- 11 (1) A full-time active duty member of the armed forces;
12 (2) A member of the North Dakota national guard;
13 (3) A member of the armed forces reserve component stationed in this state;
14 (4) A veteran, as defined in section 37-01-40, provided the veteran is eligible to
15 transfer entitlement under the Post 9-11 Veterans Educational Assistance
16 Act of 2008 [38 U.S.C. 3301];
17 (5) A benefited employee of the North Dakota university system; or
18 (6) Any other individual who is a resident for tuition purposes;

19 h. ~~An individual~~ who was a legal resident of this state for at least three consecutive
20 years within six years of the beginning of the academic term; or

21 ~~g.i.~~ A child, widow, or widower 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 in
25 action.

- 26 3. A temporary absence from the state for vacation or other special or temporary
27 purposes may not be considered an abandonment of residency in this state, provided
28 a residence is maintained in this state during the temporary absence. However, a
29 student who leaves the state and resides in another state for a period of months is not
30 considered a resident of this state during those months if the student does not
31 maintain a place of residence in this state during the student's absence.