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FIRST REPRINT **S.B. 32**

SENATE BILL NO. 32–COMMITTEE ON HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Makes various changes relating to qualifications for free tuition and loans for certain students at institutions of University and Community College System of Nevada. (BDR 34-158)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to the University and Community College System of Nevada; providing for the applicability of certain policies established by the Board of Regents in determining residency for purposes of eligibility for free tuition and certain student loans; lengthening certain minimum periods of residency required for students at institutions of the System to qualify for free tuition; expanding the categories of persons who are entitled to receive free tuition; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides free tuition to all students enrolled at a university, state college or community college of the University and Community College System of Nevada whose families are bona fide residents of Nevada, regardless of the length of that residency. (NRS 396.540) Existing law also provides free tuition to all students whose families reside outside Nevada but who themselves have been bona fide residents of Nevada for at least 6 months prior to their matriculation at an institution in the System. (NRS 396.540)

This bill requires the family of a student to reside in Nevada for at least 12 months prior to the matriculation of the student at an institution in the System for the student to qualify for free tuition. In addition, this bill increases the minimum period of residency to qualify for free tuition to 12 months prior to matriculation for students whose families are not residents of Nevada. This bill also requires the Board of Regents to prescribe by regulation a definition of "matriculation" for purposes of determining such residency requirements.

This bill expands the granting of free tuition to employees of the University and Community College System of Nevada, members of the Armed Forces of the United States and other persons whom the Board of Regents deems necessary to promote research, education, public service and the economy of the State.

Existing law requires that, for eligibility for student loans, students in nursing programs of the University and Community College System of Nevada must be bona fide residents of the State for at least 6 months prior to the student's matriculation in the System. (NRS 396.890)

This bill clarifies that, for the purpose of measuring this required 6-month period of bona fide residency for such students in nursing programs to be eligible for student loans, the definition of "matriculation" prescribed by the Board of Regents by regulation will be used.

Existing law provides that for the purposes of eligibility for free tuition or for nursing student loans from the University and Community College System of Nevada, the term "bona fide resident" must be construed to require physical presence in the State during all of the period for which residency is claimed. (NRS 10.155, 396.540, 396.890)

This bill requires that the term "bona fide resident" also be construed in accordance with policies established by the Board of Regents, to the extent that those policies do not conflict with any statute.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 396.540 is hereby amended to read as follows:

396.540 1. For the purposes of this section:

(a) "Bona fide resident" shall be construed in accordance with the provisions of NRS 10.155 ~~[.]~~ ***and policies established by the Board of Regents, to the extent that those policies do not conflict with any statute.*** The qualification "bona fide" is intended to assure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) ***"Matriculation" has the meaning ascribed to it in regulations adopted by the Board of Regents.***

(c) "Tuition charge" means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the ~~[University of Nevada]~~ System, but tuition ~~[shall]~~ ***must*** be free to:

(a) All students whose families ~~[are]~~ ***have been*** bona fide residents of the State of Nevada ~~[;]~~ ***for at least 12 months prior to the matriculation of the student at a university, state college or community college within the System;***

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least ~~[6]~~ ***12*** months prior to their matriculation at ***a university, state college or community college within*** the ~~[university;]~~ ***System;***

(c) All public school teachers who are employed full time by school districts in the State of Nevada; ~~[and]~~

(d) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS ~~[.]~~ ***;***

(e) Employees of the System;

(f) Members of the Armed Forces of the United States; and

(g) Any other persons deemed necessary by the Board of Regents to promote research, education, public service and the economy of the State, or for other beneficial purposes.

3. In its discretion, the Board of Regents may grant tuitions free each ~~[university]~~ semester to ***other*** worthwhile and deserving students from other states and foreign countries, in ***a*** number not to exceed a number equal to 3 percent of the total matriculated enrollment of students for the last preceding fall semester.

Sec. 2. NRS 396.890 is hereby amended to read as follows:

396.890 1. The Board of Regents may administer, directly or through a designated officer or employee of the System, a program to provide loans for fees, books and living expenses to students in the nursing programs of the System.

2. Each student to whom a loan is made must:

(a) Have been a "bona fide resident" of Nevada, as that term is defined in NRS 396.540 ***,*** ~~[;]~~ for at least 6 months ~~[before his matriculation]~~ ***prior to the "matriculation" of the student*** in the System ~~[;]~~ ***, as that term is defined pursuant to NRS 396.540;***

(b) Be enrolled at the time the loan is made in a nursing program of the System for the purpose of becoming a licensed practical nurse or registered nurse;

(c) Fulfill all requirements for classification as a full-time student showing progression towards completion of the program; and

(d) Maintain at least a 2.00 grade-point average in each class and at least a 2.75 overall grade-point average, on a 4.0 grading scale.

3. Each loan must be made upon the following terms:

(a) All loans must bear interest at 8 percent per annum from the date when the student receives the loan.

(b) Each student receiving a loan must repay the loan with interest following the termination of his education for which the loan is made. The loan must be repaid in monthly installments over the period allowed with the first installment due 1 year after the date of the termination of his education for which the loan is made. The amounts of the installments must not be less than $50 and may be calculated to allow a smaller payment at the beginning of the period of repayment, with each succeeding payment gradually increasing so that the total amount due will have been paid within the period for repayment. The period for repayment of the loans must be:

(1) Five years for loans which total less than $10,000.

(2) Eight years for loans which total $10,000 or more, but less than $20,000.

(3) Ten years for loans which total $20,000 or more.

4. A delinquency charge may be assessed on any installment delinquent 10 days or more in the amount of 8 percent of the installment or $4, whichever is greater, but not more than $15.

5. The reasonable costs of collection and an attorney's fee may be recovered in the event of delinquency.

Sec. 3. This act becomes effective on July 1, 2005.