

ASSEMBLY BILL NO. 260—ASSEMBLYMEN ELLIOT ANDERSON
AND BUSTAMANTE ADAMS

MARCH 13, 2013

JOINT SPONSOR: SENATOR SPEARMAN

Referred to Committee on Education

SUMMARY—Revises provisions governing tuition charges assessed against certain students within the Nevada System of Higher Education. (BDR 34-226)

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

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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 Nevada System of Higher Education; clarifying provisions governing tuition charges assessed against certain students; revising provisions relating to exemptions from tuition charges for veterans of the Armed Forces of the United States who were honorably discharged; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Board of Regents of the University of Nevada to
2 assess tuition charges against students who are not residents of Nevada at all
3 campuses of the Nevada System of Higher Education. The tuition charges are in
4 addition to registration fees and other fees assessed against students who are
5 residents of Nevada. Existing law also provides that tuition must be free for certain
6 students and veterans. (NRS 396.540) This bill clarifies the statutory provisions
7 governing the assessment of tuition charges. Additionally, this bill revises the group
8 of veterans against whom tuition charges must not be assessed by: (1) removing the
9 requirement that such veterans were, at some point, on active duty while stationed
10 at a military installation in the State of Nevada or a military installation in another
11 state which has a specific nexus to this State; and (2) requiring that such veterans
12 were honorably discharged within the 2 years immediately preceding the date of
13 matriculation of the veteran at a university, state college or community college
14 within the System. However, this bill authorizes the Board of Regents to grant more



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15 favorable exemptions from tuition charges for veterans who were honorably
16 discharged if required for the receipt of federal money.

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

1 **Section 1.** NRS 396.540 is hereby amended to read as follows:
2 396.540 1. For the purposes of this section:

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

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

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

15 2. The Board of Regents may fix a tuition charge for students
16 at all campuses of the System, but tuition *charges* must *not* be ~~free~~
17 ~~to be~~ *assessed against*:

18 (a) All students whose families have been bona fide residents of
19 the State of Nevada for at least 12 months before the matriculation
20 of the student at a university, state college or community college
21 within the System;

22 (b) All students whose families reside outside of the State of
23 Nevada, providing such students have themselves been bona fide
24 residents of the State of Nevada for at least 12 months before their
25 matriculation at a university, state college or community college
26 within the System;

27 (c) All public school teachers who are employed full-time by
28 school districts in the State of Nevada;

29 (d) All full-time teachers in private elementary, secondary and
30 postsecondary educational institutions in the State of Nevada whose
31 curricula meet the requirements of chapter 394 of NRS;

32 (e) Employees of the System who take classes other than during
33 their regular working hours;

34 (f) Members of the Armed Forces of the United States who are
35 on active duty and stationed at a military installation in the State of
36 Nevada; and

37 (g) ~~Veterans~~ *Except as otherwise provided in subsection 3,*
38 *veterans* of the Armed Forces of the United States who were



1 honorably discharged ~~and who were on active duty while stationed~~
2 ~~at a military installation in the State of Nevada or a military~~
3 ~~installation in another state which has a specific nexus to this State,~~
4 ~~including, without limitation, the Marine Corps Mountain Warfare~~
5 ~~Training Center located at Pickel Meadow, California, on the date of~~
6 ~~discharge.] within the 2 years immediately preceding the date of~~
7 ~~matriculation of the veteran at a university, state college or~~
8 ~~community college within the System.~~

9 3. *The Board of Regents may grant more favorable*
10 *exemptions from tuition charges for veterans of the Armed Forces*
11 *of the United States who were honorably discharged than the*
12 *exemption provided pursuant to paragraph (g) of subsection 2, if*
13 *required for the receipt of federal money.*

14 4. The Board of Regents may grant ~~tuitions-free~~ *exemptions*
15 *from tuition charges* each semester to other worthwhile and
16 deserving students from other states and foreign countries, in a
17 number not to exceed a number equal to 3 percent of the total
18 matriculated enrollment of students for the last preceding fall
19 semester.

20 **Sec. 1.5.** NRS 396.543 is hereby amended to read as follows:

21 396.543 1. The Board of Regents may enter into an
22 agreement with another state for the granting of full or partial
23 waivers of the nonresident tuition to residents of the other state who
24 are students at or are eligible for admission to any branch of the
25 System if the agreement provides that, under substantially the same
26 circumstances, the other state will grant reciprocal waivers to
27 residents of Nevada who are students at or are eligible for admission
28 to universities or colleges in the other state.

29 2. Each agreement must specify:

30 (a) The criteria for granting the waivers; and

31 (b) The specific universities, state colleges and community
32 colleges for which the waivers will be granted.

33 3. The Board of Regents shall provide by regulation for the
34 administration of any waivers for which an agreement is entered
35 into pursuant to subsection 1.

36 4. The waivers granted pursuant to this section must not be
37 included in the number of waivers determined for the purpose of
38 applying the limitation in subsection ~~3~~ 4 of NRS 396.540.

39 **Sec. 2.** This act becomes effective on July 1, 2013.

