

ASSEMBLY BILL NO. 427—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 25, 2019

Referred to Committee on Education

SUMMARY—Revises provisions governing the tuition charges, registration and other fees assessed against certain students within the Nevada System of Higher Education. (BDR 34-894)

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; requiring the waiver of the payment of registration fees and certain other fees assessed against students within the System who are veterans who have been awarded the Purple Heart; prohibiting the assessment of tuition charges against such students; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Regents of the University of Nevada to grant a waiver of registration and certain other fees to certain persons, such as members of the Nevada National Guard, the children and surviving spouses of such members who are killed in the line of duty and the spouse or children of a person who is identified as a prisoner of war or missing in action while performing his or her duties as a member of the Armed Forces of the United States. (NRS 396.544, 396.5442, 396.5445) **Section 1** of this bill requires the Board of Regents to waive the payment of registration fees, laboratory fees and any other mandatory fees assessed each semester against a student who is a veteran of the Armed Forces of the United States who has been awarded the Purple Heart to the extent that the fees exceed the amount of any federal educational benefits to which the veteran is entitled.

Existing law authorizes the Board of Regents to assess tuition charges for students at all campuses of the Nevada System of Higher Education who are not residents of Nevada. The tuition charges are in addition to registration fees and other fees assessed against students who are residents of this State. Existing law also prohibits the Board of Regents from assessing tuition charges against certain students, including certain veterans of the Armed Forces of the United States.



* A B 4 2 7 R 2 *

19 (NRS 396.540) **Section 1.5** of this bill prohibits the Board of Regents from
20 assessing tuition charges against veterans who have been awarded the Purple Heart.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Board of Regents shall grant a waiver of the payment*
4 *of registration fees, laboratory fees and any other mandatory fees*
5 *assessed each semester against a student who is a veteran of the*
6 *Armed Forces of the United States who has been awarded the*
7 *Purple Heart.*

8 *2. The amount of the waiver must be equal to:*

9 *(a) If the student is entitled to receive any federal educational*
10 *benefits for a semester, the balance of registration fees, laboratory*
11 *fees and any other mandatory fees assessed against the student*
12 *that remain unpaid after the student's account has been credited*
13 *with the full amount of the federal educational benefits to which*
14 *the student is entitled for that semester; or*

15 *(b) If the student is not entitled to receive any federal*
16 *educational benefits for a semester, the full amount of the*
17 *registration fees, laboratory fees and any other mandatory fees*
18 *assessed against the student for that semester.*

19 *3. The waiver must be granted to a student who enrolls in any*
20 *program offered by a school within the System, including, without*
21 *limitation, a trade or vocational program, a graduate program or a*
22 *professional program.*

23 *4. For the purpose of assessing fees and charges against a*
24 *student to whom a waiver is granted pursuant to this section,*
25 *including, without limitation, tuition charges pursuant to NRS*
26 *396.540, such a student shall be deemed to be a bona fide resident*
27 *of this State.*

28 *5. The Board of Regents may grant more favorable waivers of*
29 *registration fees, laboratory fees and any other mandatory fees for*
30 *veterans of the Armed Forces of the United States who have been*
31 *awarded the Purple Heart than the waiver provided pursuant to*
32 *this section if required for the receipt of federal money.*

33 **Sec. 1.5.** NRS 396.540 is hereby amended to read as follows:

34 396.540 1. For the purposes of this section:

35 (a) "Bona fide resident" shall be construed in accordance with
36 the provisions of NRS 10.155 and policies established by the Board
37 of Regents, to the extent that those policies do not conflict with any
38 statute. The qualification "bona fide" is intended to ensure that the



1 residence is genuine and established for purposes other than the
2 avoidance of tuition.

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

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

9 2. The Board of Regents may fix a tuition charge for students
10 at all campuses of the System, but tuition charges must not be
11 assessed against:

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

16 (b) All students whose families reside outside of the State of
17 Nevada, providing such students have themselves been bona fide
18 residents of the State of Nevada for at least 12 months before their
19 matriculation at a university, state college or community college
20 within the System;

21 (c) All students whose parent, legal guardian or spouse is a
22 member of the Armed Forces of the United States who:

23 (1) Is on active duty and stationed at a military installation in
24 the State of Nevada or a military installation in another state which
25 has a specific nexus to this State, including, without limitation, the
26 Marine Corps Mountain Warfare Training Center located at Pickel
27 Meadow, California; or

28 (2) Was on active duty and stationed at a military installation
29 in the State of Nevada or a military installation in another state
30 which has a specific nexus to this State, including, without
31 limitation, the Marine Corps Mountain Warfare Training Center
32 located at Pickel Meadow, California, on the date on which the
33 student enrolled at an institution of the System if such students
34 maintain continuous enrollment at an institution of the System;

35 (d) All students who are using benefits under the Marine
36 Gunnery Sergeant John David Fry Scholarship pursuant to 38
37 U.S.C. § 3311(b)(9);

38 (e) All public school teachers who are employed full-time by
39 school districts in the State of Nevada;

40 (f) All full-time teachers in private elementary, secondary and
41 postsecondary educational institutions in the State of Nevada whose
42 curricula meet the requirements of chapter 394 of NRS;

43 (g) Employees of the System who take classes other than during
44 their regular working hours;



(h) Members of the Armed Forces of the United States who are on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California;

(i) Veterans of the Armed Forces of the United States who were honorably discharged and who were on active duty while stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California, on the date of discharge; ~~and~~

(j) Except as otherwise provided in subsection 3, veterans of the Armed Forces of the United States who were honorably discharged within the 5 years immediately preceding the date of matriculation of the veteran at a university, state college or community college within the System ~~H~~; and

(k) Veterans of the Armed Forces of the United States who have been awarded the Purple Heart.

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

4. The Board of Regents may grant exemptions from tuition charges each 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. This act becomes effective on July 1, 2019.

