

ASSEMBLY BILL NO. 156—ASSEMBLYMEN TITUS, ROBERTS,
ELLISON; MCARTHUR, THOMAS, TOLLES AND WHEELER

FEBRUARY 18, 2021

Referred to Committee on Education

SUMMARY—Revises provisions governing the waiver by the Board of Regents of the University of Nevada of certain fees for active members of the Nevada National Guard. (BDR 34-23)

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 National Guard; authorizing the Board of Regents of the University of Nevada to waive certain fees for a spouse or child of a member of the active Nevada National Guard who has reenlisted under certain circumstances; requiring the Adjutant General to perform certain duties relating to waivers granted, assigned or reassigned to members and eligible persons; 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 waive registration fees and laboratory fees for active members of the Nevada
3 National Guard who attend a school within the Nevada System of Higher Education
4 as a full-time or part-time student. (NRS 396.544) This bill authorizes a member of
5 the active Nevada National Guard who has reenlisted to: (1) assign the waiver to
6 his or her spouse or child in lieu of using the waiver himself or herself during that
7 period of reenlistment; and (2) reassign a waiver if the spouse or child to whom the
8 waiver was assigned does not use the waiver to attend a school within the System
9 as a full-time or part-time student. This bill authorizes a member of the active
10 Nevada National Guard to assign or reassign a waiver upon reenlistment, regardless
11 of whether the member used a waiver to attend a school within the System before
12 he or she reenlisted. This bill also provides that a waiver that has been assigned or
13 reassigned may only be used: (1) by one eligible person for each period of
14 reenlistment of a member; and (2) for credits applicable toward the course work
15 required for the award of an associate's degree, baccalaureate degree or certificate.



Existing law requires a member to whom a waiver is granted to maintain a certain grade point average. (NRS 396.544) This bill imposes the same requirement on a person to whom a waiver is assigned or reassigned.

Existing law requires the Adjutant General, who is the Commander of the Nevada National Guard and the Director of the Office of the Military, to verify the membership of a person who is seeking or has been granted a waiver upon request of the Board of Regents. (NRS 412.048, 396.544) This bill requires the Adjutant General to: (1) maintain a record of any waiver that has been granted, assigned or reassigned and the person to whom the waiver was assigned or reassigned; and (2) before the beginning of each semester, certify in writing to the Board of Regents that a waiver has been properly assigned or reassigned to the person seeking to use the waiver to attend a school within the System.

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

Section 1. NRS 396.544 is hereby amended to read as follows:

396.544 1. The Board of Regents of the University of Nevada may grant a waiver of registration fees and laboratory fees for any member of the active Nevada National Guard, including, without limitation, a recruit, who attends a school within the System as a full-time or part-time student.

2. A member of the active Nevada National Guard who has reenlisted may, in lieu of using the waiver himself or herself and regardless of whether the member was granted a waiver pursuant to this section before reenlistment:

(a) Assign such a waiver to his or her spouse or child for credits applicable toward the course work required for the award to the spouse or child of an associate's degree, baccalaureate degree or certificate at any school within the System.

(b) Reassign such a waiver to his or her spouse or child, as applicable, if the person to whom the waiver was assigned pursuant to paragraph (a) does not use the waiver to attend a school within the System as a full-time or part-time student.

➤ For each period of reenlistment of a member, the benefit provided pursuant to this subsection may only be used by one eligible person.

3. For the purpose of assessing fees and charges against a person to whom a waiver is granted , *assigned or reassigned* pursuant to ~~[this]~~ subsection ~~[.]~~ *1 or 2*, including, without limitation, tuition charges pursuant to NRS 396.540, such a person shall be deemed to be a bona fide resident of this State.

~~[2.—To be eligible for a waiver pursuant to subsection 1, a]~~

4. A person must [:

~~—(a) Be]~~ *be* a member in good standing of the active Nevada National Guard, including, without limitation, a recruit, at the



beginning of and throughout the entire semester for which the waiver is granted. ~~{-and~~

~~—(b) Maintain]~~

5. A person to whom a waiver is granted, assigned or reassigned pursuant to subsection 1 or 2 must maintain at least a 2.0 grade point average, on a 4.0 grading scale, each semester ~~{-}~~for which the waiver is granted, assigned or reassigned, or the equivalent of a 2.0 grade point average if a different grading scale is used.

~~{-}~~ 6. The Board of Regents may request the Adjutant General to verify the membership in the active Nevada National Guard of a person who is seeking or has been granted a waiver of registration fees and laboratory fees pursuant to subsection 1.

7. The Adjutant General shall ~~{-upon}~~ :

(a) Upon receiving ~~{such}~~ a request ~~{-}~~ from the Board of Regents pursuant to subsection 6, notify the Board of Regents in writing concerning the status and dates of membership of ~~{that person in the active Nevada National Guard.~~

~~—4.-~~ a person who is seeking or has been granted a waiver of registration fees and laboratory fees pursuant to subsection 1.

(b) Maintain a record of any waiver that has been granted, assigned or reassigned pursuant to subsection 1 or 2 and the person to whom the waiver was assigned or reassigned.

(c) Before the beginning of each semester, certify in writing to the Board of Regents that a waiver has been properly assigned or reassigned to the person seeking to use the waiver to attend a school within the System.

8. If a waiver is granted pursuant to subsection 1 for a recruit and the recruit does not enter full-time National Guard duty within 1 year after enlisting, the recruit shall reimburse the Board of Regents for all registration fees and laboratory fees waived on behalf of the recruit if the recruit's failure to enter full-time National Guard duty is attributable to his or her own conduct.

~~{-}~~ 9. As used in this section:

(a) "Full-time National Guard duty" has the meaning ascribed to it in 32 U.S.C. § 101(19).

(b) "Recruit" means a person who has enlisted in the Nevada National Guard but has not begun his or her required military duty.

(c) "*Spouse*" includes a domestic partner as set forth in NRS 122A.200.

Sec. 2. This act becomes effective on July 1, 2021.

