

Amendment No. 134

Senate Amendment to Senate Bill No. 193	(BDR 34-382)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

AAS/AAK



Date: 4/7/2021

S.B. No. 193—Revises provisions relating to the education of veterans and their spouses and dependents. (BDR 34-382)



SENATE BILL NO. 193—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

MARCH 9, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to the education of veterans and their spouses and dependents. (BDR 34-382)

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 education; requiring the Board of Regents of the University of Nevada to prepare a report concerning students who are veterans; creating a preference in admission to certain programs for certain veterans; prohibiting the assessment of a tuition charge against certain veterans ~~and their~~ spouses and dependents; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law previously required the Board of Regents of the University of Nevada to prepare and submit a report concerning students who are veterans to the Director of the Legislative Counsel Bureau or to the Legislative Committee on Education, as appropriate. This requirement expired by limitation on July 1, 2020. (Section 5 of Assembly Bill No. 76, chapter 13, Statutes of Nevada 2015, at page 55) **Section 2** of this bill revives this requirement.

Existing law prohibits the Board of Regents from discriminating in the admission of students on account of national origin, religion, age, physical disability, sex, sexual orientation, gender identity or expression, race or color. (NRS 396.530) **Sections 3 and 4** of this bill require the Board of Regents to require each nursing program and program for the education of teachers to give preference in admission to veterans of the Armed Forces of the United States who have been honorably discharged.

Existing federal law grants Post-9/11 Educational Assistance to eligible veterans. (38 U.S.C. §§ 3301-3327) Existing federal law authorizes a veteran who was discharged from the Armed Forces of the United States before January 1, 2013, to have access to such educational benefits for 15 years, while a veteran who was discharged on or after January 1, 2013, has access to such benefits without expiration. (38 U.S.C. § 3321) Existing federal law grants Survivors' and Dependents' Educational Assistance to eligible survivors and dependents of members of the Armed Forces of the United States. (38 U.S.C. §§ 3500-3566) Existing state law authorizes the Board of Regents to assess a tuition charge against students who are not residents of this State. Existing law prohibits a tuition charge from being assessed against certain students, including, without limitation, students who are veterans who were honorably discharged within 5 years before the date of matriculation at a university, state college or community college within the Nevada System of Higher Education. (NRS 396.540) **Section 5**

of this bill removes, for the purpose of this exemption from a tuition charge, the time limitation for matriculating at a university, state college or community college within the System for veterans who have been honorably discharged. **Section 5** additionally prohibits a tuition charge from being assessed against veterans, ~~and their~~ spouses and dependents who are using Post-9/11 Educational Assistance. **Section 5** similarly prohibits a tuition charge from being assessed against students using Survivors' and Dependents' Educational Assistance.

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

Section 1. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *The Board of Regents shall, not later than November 30 of each year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Legislative Committee on Education when the Legislature is not in regular session, a report concerning the participation of students who are veterans in the System. The report must cover the immediately preceding academic year.*

2. The report must include, without limitation:

(a) The number of students who:

(1) Identify themselves as veterans.

(2) Are receiving payments or benefits from the United States Department of Veterans Affairs.

(b) The number of students who are veterans, divided by gender.

(c) The rate of retention and average age of the students who are veterans.

(d) The most common areas of study among the students who are veterans.

(e) Any information necessary to determine the impact of policy changes on the number of students who are veterans in the System.

(f) The number of students who are veterans who graduated during the immediately preceding academic year.

(g) The efforts of each institution to retain and graduate students who are veterans through retention and other related programs.

Sec. 3. *The Board of Regents shall require each nursing program in the System to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.*

Sec. 4. *The Board of Regents shall require each program developed by the System for the education of teachers to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.*

Sec. 5. 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 ensure 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 System, but tuition charges must not be assessed against:

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

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

(1) Is 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; or

(2) Was 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, on the date on which the student enrolled at an institution of the System if such students maintain continuous enrollment at an institution of the System;

(d) All students who are using benefits under the Marine Gunnery Sergeant John David Fry Scholarship pursuant to 38 U.S.C. § 3311(b)(8);

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

(f) 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;

(g) Employees of the System who take classes other than during 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;

(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; and~~

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

(l) All students who are:

(1) Veterans using Post-9/11 Educational Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive, and became eligible for such benefits on or after January 1, 2013; or

(2) Spouses or dependents ~~[of such veterans;]~~ using Post-9/11 Educational Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive; and

1 *(m) All students who are using Survivors' and Dependents' Educational*
2 *Assistance pursuant to 38 U.S.C. §§ 3500 to 3566, inclusive.*

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

7 4. The Board of Regents may grant exemptions from tuition charges each
8 semester to other worthwhile and deserving students from other states and foreign
9 countries, in a number not to exceed a number equal to 3 percent of the total
10 matriculated enrollment of students for the last preceding fall semester.

11 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do not apply to any
12 provision of this act which adds or revises a requirement to submit a report to the
13 Legislature.

14 **Sec. 7.** 1. This section and section 5 of this act become effective on July 1,
15 2021.

16 2. Sections 1 to 4, inclusive, and 6 of this act become effective on October 1,
17 2021.