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FIRST REPRINT

A.B. 279

ASSEMBLY BILL NO. 279—ASSEMBLYMEN D’SILVA, GRAY,
THOMAS; BILBRAY-AXELROD, GALLANT, GURR, LA RUE
HATCH, MCARTHUR, MOSCA, SUMMERS-ARMSTRONG,
TAYLOR AND TORRES

MARCH 9, 2023

JOINT SPONSORS: SENATORS SPEARMAN,
FLORES AND LANGE

Referred to Committee on Education

SUMMARY—Revises provisions governing the waiver of tuition and registration and certain fees for students who are children of certain veterans. (BDR 34-531)

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; prohibiting the assessment of tuition charges against a student within the System whose parent is a veteran who has been awarded the Purple Heart; requiring the waiver of the payment of registration fees and certain other fees assessed against such a student; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Regents of the University of Nevada to assess tuition charges for students at all campuses of the Nevada System of Higher Education who are not residents of Nevada. Existing law also prevents the Board of Regents from assessing tuition charges against veterans who have been awarded the Purple Heart. (NRS 396.540) **Section 1** of this bill prohibits the Board of Regents from assessing tuition charges against the child of a veteran who has been awarded the Purple Heart.

Existing law authorizes the Board of Regents to grant a waiver of registration and certain other fees to certain persons, including a student who is a veteran of the Armed Forces of the United States who has been awarded the Purple Heart. (NRS 396.5443) **Section 2** of this bill requires the Board of Regents to waive the payment of registration fees, laboratory fees and any other mandatory fees assessed each



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semester against a student who is the child of 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 student is entitled. **Section 2** additionally provides that a child who is eligible to receive such a waiver may use it for: (1) ten years after he or she attains 18 years of age; or (2) if he or she enrolls in the System before attaining 18 years of age, for 10 years after the date of enrollment.

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 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 is admitted to an institution of the System if such students enroll and 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;

(k) Veterans of the Armed Forces of the United States who have been awarded the Purple Heart  *and the children of such veterans;*

(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 using Post-9/11 Educational Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive;

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



(n) Students who graduated from a high school located in this State, regardless of whether the student or the family of the student 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.

3. The Board of Regents may grant more favorable exemptions from tuition charges for veterans of the Armed Forces of the United States than the exemptions provided pursuant to 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. NRS 396.5443 is hereby amended to read as follows:

396.5443 1. The Board of Regents shall grant a waiver of 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 ~~or~~ *or the child of such a veteran.*

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

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

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

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

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

5. The Board of Regents may grant more favorable waivers of registration fees, laboratory fees and any other mandatory fees for veterans of the Armed Forces of the United States who have been awarded the Purple Heart *or the child of such a veteran* than the



1 waiver provided pursuant to this section if required for the receipt of
2 federal money.

3 *6. A child of a veteran of the Armed Forces of the United*
4 *States who has been awarded the Purple Heart may use a waiver*
5 *granted pursuant to this section for 10 years after the child attains*
6 *18 years of age, or, if the child enrolls in the System before*
7 *attaining 18 years of age, for 10 years after the date of such*
8 *enrollment.*

9 **Sec. 3.** This act becomes effective on July 1, 2023.

