

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 137**

Short Title: Military Death/In-State Tuition/Dependent. (Public)

Sponsors: Senators Hunt; Blake, Brown, Forrester, Preston, and Tillman.

Referred to: Appropriations/Base Budget.

February 12, 2009

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A DEPENDENT RELATIVE OF A MEMBER OF THE  
2 ARMED SERVICES CONTINUES TO BE ELIGIBLE FOR IN-STATE TUITION IF  
3 THE ACTIVE DUTY MEMBER IS KILLED IN COMBAT OR DIES DURING ACTIVE  
4 MILITARY DUTY WHILE ASSIGNED TO NORTH CAROLINA.  
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 116-143.3(c) reads as rewritten:

8 "(c) Any dependent relative of a member of the armed services who is abiding in this  
9 State incident to active military duty, as defined by the Board of Governors of The University  
10 of North Carolina and by the State Board of Community Colleges while sharing the abode of  
11 that member shall be eligible to be charged the in-State tuition rate, if the dependent relative  
12 qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3).  
13 The dependent relatives shall comply with the requirements of the Selective Service System, if  
14 applicable, in order to be accorded this benefit. In the event the member of the armed services  
15 is reassigned outside of North Carolina or retires, the dependent relative shall continue to be  
16 eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent  
17 relative is continuously enrolled in the degree or other program in which the dependent relative  
18 was enrolled at the time the member is reassigned or retires. In the event the member of the  
19 armed services receives an Honorable Discharge from military service, the dependent relative  
20 shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long  
21 as the dependent relative establishes residency within North Carolina within 30 days after the  
22 discharge and is continuously enrolled in the degree or other program in which the dependent  
23 relative was enrolled at the time the member is discharged. In the event the member of the  
24 armed services is killed in combat, noncombat deployment, or dies during active military duty,  
25 the dependent relative shall continue to be eligible for the in-State tuition rate and applicable  
26 mandatory fees provided that the member of the armed services was assigned to North Carolina  
27 at the time of death."

28 **SECTION 2.** This act becomes effective October 1, 2009.

