

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 137  
Appropriations/Base Budget Committee Substitute Adopted 7/2/09  
Third Edition Engrossed 7/7/09

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

(Public)

Sponsors:

Referred to:

February 12, 2009

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A DEPENDENT RELATIVE OF A MEMBER OF THE ARMED SERVICES CONTINUES TO BE ELIGIBLE FOR IN-STATE TUITION IF THE ACTIVE DUTY MEMBER IS KILLED IN COMBAT OR DIES DURING ACTIVE MILITARY DUTY WHILE ASSIGNED TO NORTH CAROLINA.

The General Assembly of North Carolina enacts:

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

"(c) Any dependent relative of a member of the armed services who is abiding in this State incident to active military duty, as defined by the Board of Governors of The University of North Carolina and by the State Board of Community Colleges while sharing the abode of that member shall be eligible to be charged the in-State tuition rate, if the dependent relative qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3). The dependent relatives shall comply with the requirements of the Selective Service System, if applicable, in order to be accorded this benefit. In the event the member of the armed services is reassigned outside of North Carolina or retires, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is reassigned or retires. In the event the member of the armed services receives an Honorable Discharge from military service, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative establishes residency within North Carolina within 30 days after the discharge and is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is discharged. In the event the member of the armed services is killed in combat or noncombat deployment or dies during active military duty, the dependent relative shall continue, for a period of 10 years after the member's death, to be eligible for the in-State tuition rate and applicable mandatory fees provided that the member of the armed services was assigned to North Carolina at the time of death. However, if the dependent relative enrolls in a degree or other program within 10 years after the death of the member of the armed services and the course of study for the degree or other program in which the dependent relative enrolls extends beyond the 10-year period after the member's death, the dependent relative shall continue to be eligible for in-State tuition so long as the dependent relative is continuously enrolled in the degree or other program."

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

