

SENATE BILL NO. 317

BY SENATOR FOIL AND REPRESENTATIVES ADAMS, BACALA, BUTLER, CORMIER, CREWS, DEVILLIER, EDMONDS, EMERSON, FIRMENT, FISHER, GAROFALO, HORTON, MIKE JOHNSON, LANDRY, LARVADAIN, MARCELLE, NEWELL, CHARLES OWEN, SCHAMERHORN, SELDERS AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 17:2137 and to repeal R.S. 17:1997.1, 1997.2, and 2136, relative  
3 to residency requirements and public postsecondary tuition fees for residents of other  
4 states; to provide relative to resident classifications of members and veterans of the  
5 United States Armed Forces and their dependents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:2137 is hereby amended and reenacted to read as follows:

8 §2137. Tuition fees for members of the armed forces, ~~and their~~ **their** dependents, and for  
9 certain **other** individuals ~~who have served in the armed forces;~~  
10 resident classification

11 **A. Any individual who is permanently stationed in Louisiana as a**  
12 **member of the United States Armed Forces who enrolls as a student at any**  
13 **public postsecondary institution shall be classified as a resident for tuition**  
14 **purposes and shall qualify for resident tuition fees.**

15 **B. Any individual who is an honorably discharged veteran or other**  
16 **individual eligible to receive educational benefits administered by the United**  
17 **States Department of Veterans Affairs, through any provision of the United**  
18 **States Code, who enrolls as a student at any public postsecondary institution**  
19 **and remains continuously enrolled, and who lives in Louisiana shall be classified**  
20 **as a resident for tuition purposes and shall qualify for resident tuition fees.**

21 ~~A. C.(1)~~ A child or spouse of a member of the ~~armed forces of the~~ United  
22 States **Armed Forces** stationed in Louisiana on active duty shall be entitled to  
23 resident classification for tuition purposes at any ~~state college or university~~ **public**  
24 **postsecondary institution** without regard to length of time of residency in the state.

1           B. ~~(2)~~ A child or spouse of a member of the ~~armed forces of the~~ United States  
 2           Armed Forces who has been assigned to duty elsewhere immediately following  
 3           assignment to duty in Louisiana or who has been honorably discharged while  
 4           assigned to duty in Louisiana shall be entitled to resident classification for tuition  
 5           purposes at any ~~state college or university~~ public postsecondary institution for as  
 6           long as the child or spouse, as the case may be, continuously resides in Louisiana  
 7           after the Louisiana duty assignment of the parent or spouse.

8           ~~C.~~D. The burden of proving entitlement to the benefit to this Section shall lie  
 9           with the applicant ~~therefor~~.

10           ~~D.~~ Any individual who was permanently stationed in Louisiana as a member  
 11           of any branch of the United States Armed Forces, including his dependents, who  
 12           enrolls as a student at any state owned and operated college or university, shall be  
 13           classified as a resident for tuition purposes and shall qualify for resident tuition fees  
 14           at any such state owned and operated college or university, provided that the  
 15           individual has been continuously residing in Louisiana after being honorably  
 16           discharged from the United States Armed Forces.

17           ~~E.(1)~~ Except for tuition charged to a veteran eligible for benefits under the  
 18           Yellow Ribbon Program pursuant to a Yellow Ribbon Agreement between a public  
 19           postsecondary education institution and the United States Department of Veteran  
 20           Affairs under 38 U.S.C. Chapter 33, effective for the 2012-2013 academic year and  
 21           thereafter, a student who is enrolled in or is applying for enrollment in a Louisiana  
 22           public college or university and who physically resides in Louisiana for the duration  
 23           of his enrollment in a state public institution of postsecondary education, who has  
 24           served in the armed forces of the United States as defined by 10 U.S.C. 101(a)(4),  
 25           and who also meets the requirements of Paragraph (2) of this Subsection is entitled  
 26           to resident classification for tuition purposes without regard to length of time of  
 27           residency in the state.

28           ~~(2)~~ In addition to the provisions of Paragraph (1) of this Subsection, the  
 29           student shall meet at least one of the following conditions to qualify for resident  
 30           classification for tuition amount purposes:

1                   ~~(a) Has served on active duty for a continuous period of no less than two~~  
2                   ~~years, and received an Honorable Discharge, as verified by a United States~~  
3                   ~~Department of Defense Form 214, within one year of enrolling in a Louisiana public~~  
4                   ~~college or university.~~

5                   ~~(b) Is currently serving in a Reserve Component of the armed forces of the~~  
6                   ~~United States as defined by 10 U.S.C. 101(c) and as verified by a memorandum from~~  
7                   ~~the student's commanding officer.~~

8                   ~~(c) Has been assigned a service-connected disability by the United States~~  
9                   ~~Department of Veterans Affairs.~~

10                   ~~(3)~~E. The Board of Regents and each public postsecondary education  
11                   management board shall adopt rules and guidelines necessary to implement the  
12                   provisions of this ~~Subsection~~ Section.

13                   Section 2. R.S. 17:1997.1, 1997.2, and 2136 are hereby repealed.

14                   Section 3. This Act shall become effective upon signature by the governor or, if not  
15                   signed by the governor, upon expiration of the time for bills to become law without signature  
16                   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
17                   vetoed by the governor and subsequently approved by the legislature, this Act shall become  
18                   effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_