

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.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____