

1 HB154
2 204175-1
3 By Representative Kiel
4 RFD: Ways and Means Education
5 First Read: 06-FEB-20

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8 SYNOPSIS: Existing law provides requirements for
9 establishing residency for purposes of admission
10 and tuition at public institutions of higher
11 education.

12 This bill would provide that a student who
13 is the minor child of a military service member
14 stationed in Alabama, who initially registers for
15 enrollment at an Alabama public institution of
16 higher education as a resident student, shall
17 continue to be considered as an in-state resident
18 for purposes of matriculation at the institution
19 even if that military service member receives
20 orders for transfer to an out-of-state duty
21 station, provided the student maintains continuous
22 enrollment at that institution.

23 This bill would also require public
24 institutions of higher education to consider a
25 military service member stationed in Alabama, as
26 well as his or her spouse and minor children, to be
27 resident students regardless of whether the

1 military service member is under orders to attend
2 schooling.

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

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8 Relating to public institutions of higher education;
9 to amend Section 16-64-2, Code of Alabama 1975; to provide
10 that a student who is the minor child of a military service
11 member stationed in Alabama may register for enrollment at an
12 Alabama public institution of higher education as a resident
13 student and be considered an in-state resident for tuition
14 purposes under certain conditions; and to require public
15 institutions of higher education to consider a military
16 service member stationed in Alabama, as well as his or her
17 spouse and minor children, to be resident students regardless
18 of whether the military service member is under orders to
19 attend schooling.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 16-64-2, Code of Alabama 1975, is
22 amended to read as follows:

23 "§16-64-2.

24 "(a) For purposes of admission and tuition, a public
25 institution of higher education may consider that the term
26 resident student includes any of the following:

1 "(1) One who, at the time of registration, is not a
2 minor and satisfies one of the following:

3 "a. Is a full-time permanent employee of the
4 institution at which the student is registering or is the
5 spouse of such an employee.

6 "b. Can verify full-time permanent employment within
7 the State of Alabama or is the spouse of such an employee and
8 will commence the permanent, full-time employment within 90
9 days of registration with the institution.

10 "c. Is employed as a graduate assistant or fellow by
11 the institution at which the student is registering.

12 "d. Is an accredited member of or the spouse of an
13 accredited member of a consular staff assigned to duties in
14 Alabama.

15 "e. Is in a program or takes courses within an
16 interstate consortium of colleges or universities that either
17 offers reciprocal resident student tuition to residents of
18 Alabama in the program or courses offered by colleges or
19 universities not within Alabama, or is enrolled in a program
20 or courses through an interstate consortium of colleges or
21 universities that assesses tuition at a uniform rate for all
22 students enrolled in that course or program.

23 "f. Is, at the time of passage of this chapter, a
24 student enrolled at a public college or university and who is
25 currently classified as a resident for tuition purposes
26 provided ~~such~~ the student maintains continuous enrollment at
27 that institution.

1 "(2) One who, at the time of registration, is a
2 minor and whose supporting person satisfies one of the
3 following:

4 "a. Is a full-time permanent employee of the
5 institution at which the student is registering.

6 "b. Can verify full-time permanent employment within
7 the State of Alabama and will commence the employment within
8 90 days of registration with the institution.

9 "c. Is an accredited member of a consular staff
10 assigned to duties in Alabama.

11 "(b) For purposes of admission and tuition, a public
12 institution of higher education shall consider that the term
13 resident student includes any of the following:

14 "(1) One who, at the time of registration, is not a
15 minor and satisfies one of the following:

16 "a. Is a member or the spouse of a member of the
17 United States military on full-time active duty stationed in
18 Alabama ~~under orders other than attending school.~~

19 "b. Commencing on May 22, 2012, has been a member of
20 the Alabama National Guard for a period of at least two years
21 immediately preceding the student qualifying for resident
22 tuition and continues to be a member of the Alabama National
23 Guard while enrolled at the public institution of higher
24 education.

25 "c. Is a veteran of the Armed Forces of the United
26 States, provided that the veteran has become a resident of

1 Alabama and satisfies at least one of the following
2 conditions:

3 "1. The veteran has served on active duty for a
4 continuous period of time, not less than two years, and has
5 received an honorable discharge as verified by a United States
6 Department of Defense Form 214 within five years of enrolling
7 in an Alabama public institution of higher education.

8 "2. The veteran is currently serving in a reserve
9 component of the Armed Forces of the United States, as
10 verified by a memorandum from the commanding officer of the
11 veteran student.

12 "3. The veteran has been assigned a
13 service-connected disability by the United States Department
14 of Veterans Affairs.

15 "d. Is an out-of-state veteran who resides within 90
16 miles of a campus located in Alabama and has enrolled at an
17 institution whose board of trustees has voted to allow
18 nonresident in-state tuition for active and retired military.

19 "(2) One who, at the time of initial registration,
20 is a minor and whose supporting person is a member of the
21 United States military on full-time active duty stationed in
22 Alabama ~~under orders for duties other than attending school.~~ A
23 student establishing resident status pursuant to this
24 subsection shall continue to be considered a resident student,
25 regardless of any transfer of his or her supporting person to
26 an out-of-state duty station, provided the student maintains

1 continuous enrollment at the public institution of higher
2 education.

3 "(3) One who, at the time of registration, is a
4 full-time undergraduate student enrolled at an institution
5 whose board of trustees has authorized resident tuition rates
6 to apply to those non-resident students receiving a partial or
7 full scholarship award in recognition of a particular talent
8 or ability, provided ~~such~~ the student possessed the talent or
9 ability at the time of initial enrollment and maintains
10 continuous scholarship eligibility at that institution.

11 "(c) The boards of trustees of each public
12 institution of higher education in the state shall adopt rules
13 and guidelines necessary to implement this section. It is the
14 intent of the Legislature that constitutionally created boards
15 of trustees comply with the requirements of this section."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.