

Assembly Bill No. 260–Assemblymen Elliot Anderson
and Bustamante Adams

Joint Sponsor: Senator Spearman

CHAPTER.....

AN ACT relating to the Nevada System of Higher Education; clarifying provisions governing tuition charges assessed against certain students; revising provisions relating to exemptions from tuition charges for veterans of the Armed Forces of the United States who were honorably discharged; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Regents of the University of Nevada to assess tuition charges against students who are not residents of Nevada at all campuses of the Nevada System of Higher Education. The tuition charges are in addition to registration fees and other fees assessed against students who are residents of Nevada. Existing law also provides that tuition must be free for certain students and veterans. (NRS 396.540) This bill clarifies the statutory provisions governing the assessment of tuition charges. Additionally, this bill revises the group of veterans against whom tuition charges must not be assessed by: (1) removing the requirement that such veterans were, at some point, on active duty while stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State; and (2) requiring that such veterans were honorably discharged within the 2 years immediately preceding the date of matriculation of the veteran at a university, state college or community college within the System. However, this bill authorizes the Board of Regents to grant more favorable exemptions from tuition charges for veterans who were honorably discharged if required for the receipt of federal money.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 396.540 is hereby amended to read as follows:
396.540 1. For the purposes of this section:

(a) “Bona fide resident” shall be construed in accordance with the provisions of NRS 10.155 and policies established by the Board of Regents, to the extent that those policies do not conflict with any statute. The qualification “bona fide” is intended to ensure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) “Matriculation” has the meaning ascribed to it in regulations adopted by the Board of Regents.



(c) "Tuition charge" means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the System, but tuition **charges** must **not** be ~~free to~~ **assessed against**:

(a) All students whose families have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the System;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 12 months before their matriculation at a university, state college or community college within the System;

(c) All public school teachers who are employed full-time by school districts in the State of Nevada;

(d) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS;

(e) Employees of the System who take classes other than during their regular working hours;

(f) Members of the Armed Forces of the United States who are on active duty and stationed at a military installation in the State of Nevada; and

(g) ~~Veterans~~ **Except as otherwise provided in subsection 3, veterans** of the Armed Forces of the United States who were honorably discharged ~~and who were on active duty while stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California, on the date of discharge.~~ **within the 2 years immediately preceding the date of matriculation of the veteran at a university, state college or community college within the System.**

3. **The Board of Regents may grant more favorable exemptions from tuition charges for veterans of the Armed Forces of the United States who were honorably discharged than the exemption provided pursuant to paragraph (g) of subsection 2, if required for the receipt of federal money.**

4. The Board of Regents may grant ~~tuitions-free~~ **exemptions from tuition charges** each semester to other worthwhile and



deserving students from other states and foreign countries, in a number not to exceed a number equal to 3 percent of the total matriculated enrollment of students for the last preceding fall semester.

Sec. 1.5. NRS 396.543 is hereby amended to read as follows:

396.543 1. The Board of Regents may enter into an agreement with another state for the granting of full or partial waivers of the nonresident tuition to residents of the other state who are students at or are eligible for admission to any branch of the System if the agreement provides that, under substantially the same circumstances, the other state will grant reciprocal waivers to residents of Nevada who are students at or are eligible for admission to universities or colleges in the other state.

2. Each agreement must specify:

(a) The criteria for granting the waivers; and

(b) The specific universities, state colleges and community colleges for which the waivers will be granted.

3. The Board of Regents shall provide by regulation for the administration of any waivers for which an agreement is entered into pursuant to subsection 1.

4. The waivers granted pursuant to this section must not be included in the number of waivers determined for the purpose of applying the limitation in subsection ~~3~~ 4 of NRS 396.540.

Sec. 2. This act becomes effective on July 1, 2013.



