~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 4, 2016

**H. 4515**

Introduced by Reps. Daning, V.S. Moss, Clyburn and Hosey

S. Printed 2/4/16--H.

Read the first time January 12, 2016.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4515) to amend Section 59‑112‑50, as amended, Code of Laws of South Carolina, 1976, relating to undergraduate in‑state tuition for people entitled to certain, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 59‑112‑50(C)(2)(b), as added by Act 11 of 2015, is amended to read:

“(b) a ~~person~~ recipient of transferred benefits who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code ~~by virtue of the person’s relationship to the veteran described in subitem (a)~~, except that the three‑year post discharge enrollment limits described in item (2)(a) shall not apply.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

Section 59-112-50 (C)(2)(a) allows veterans and their dependents to attend an institution of higher education at in-state tuition rates regardless of domicile status as long as the enrollment is within three years of the veteran’s discharge date. This bill removes the three-year post-discharge enrollment time limit as long as the covered individual is either a child of active military personnel that died in the line of duty on or after September 11, 2001 or is an eligible dependent recipient of unused federal educational assistance benefits transferred from a parent who is a veteran or on active duty.

The Commission on Higher Education (CHE) reports this bill will have no expenditure impact on general, federal, or other funds.

**State Reve**n**ue**

This bill would reduce higher education other fund tuition revenue from the loss of the in-state, out-of-state tuition differential for each eligible student. Currently, CHE indicates data is not available to determine the number of students who might be eligible for in-state tuition and fee rates under this proposed bill. As well, the amount of revenue that institutions would forgo from the in-state, out-of-state tuition differential varies greatly among the institutions. Therefore, specific other fund tuition reduction estimates could not be calculated.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNDERGRADUATE IN‑STATE TUITION FOR PEOPLE ENTITLED TO CERTAIN FEDERAL EDUCATIONAL ASSISTANCE AS THE CHILDREN OF MEMBERS OF THE UNITED STATES MILITARY WHO DIED IN ACTIVE DUTY SERVICE AFTER SEPTEMBER 11, 2001, AND FOR PEOPLE ENTITLED AS THE SPOUSAL OR CHILDREN DEPENDENTS OF VETERANS TO RECEIVE CERTAIN UNUSED FEDERAL EDUCATIONAL ASSISTANCE TRANSFERRED FROM VETERANS, SO AS TO PROVIDE THEY ARE NOT SUBJECT TO A THREE‑YEAR POST‑DISCHARGE ENROLLMENT TIME LIMIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑112‑50(C) of the 1976 Code, as added by Act 11 of 2015, is amended by adding an appropriately numbered item at the end to read:

“( )(a) A person is not subject to the three‑year post‑discharge enrollment time limits of subsection (C)(2)(a) if he qualifies as a covered individual because he is entitled to receive benefits pursuant to:

(i) Section 3311(b)(9), Title 38 of the United States Code, as an individual who is the child of a person who, on or after September 11, 2001, died in line of duty while serving on active duty as a member of the Armed Forces; or

(ii) Section 3319, Title 38 of the United States Code, as an eligible dependent recipient of unused federal educational assistance benefits transferred from a parent who is a veteran or on active duty.

(b) Once enrolled, a person not subject to the three‑year post‑discharge enrollment time limits of subsection (C)(2)(a) shall remain eligible for in‑state rates as long as he remains continuously enrolled in an in‑state institution or transfers to another in‑state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in‑state institution. In the event of a transfer, the in‑state institution receiving the covered individual shall verify the covered individual’s eligibility for in‑state rates with the covered individual’s prior in‑state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in‑state institution.”

SECTION 2. This act takes effect upon approval by the Governor.

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