

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE DRH60156-LE-26 (1/13)

Short Title: In-State Comm. Coll. Tuition for N.C. Workers. (Public)

Sponsors: Representatives Sauls, England, and Tolson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE ADDITIONAL EMPLOYEES WORKING IN THE STATE AND
ADDITIONAL FAMILY MEMBERS OF EMPLOYEES TRANSFERRED INTO
THE STATE ELIGIBLE FOR IN-STATE COMMUNITY COLLEGE TUITION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-39(a) reads as rewritten:

"(a) The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; ~~provided, however, that when an employer other than the armed services, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the military, consistent with the provisions of G.S. 116-143.3, into the State. Notwithstanding these requirements, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2). Also, a nonresident of the United States who has resided in North Carolina for a 12-month~~

1 ~~qualifying period and has filed an immigrant petition with the United States~~
2 ~~Immigration and Naturalization Service shall be considered a State resident for~~
3 ~~community college tuition purposes.~~Chapter, except that the following shall be charged
4 the in-State tuition rate:

- 5 (1) An employee domiciled outside the State who is employed at a North
6 Carolina business location;
7 (2) A dependent relative of a person transferred by a company into the
8 State, while sharing the domicile of that person;
9 (3) A refugee who lawfully entered the United States and who is living in
10 this State; and
11 (4) A nonresident of the United States who has resided in North Carolina
12 for a 12-month qualifying period and has filed an immigrant petition."

13 **SECTION 2.** This act becomes effective July 1, 2005.