

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 472 Session of 2013

INTRODUCED BY BARRAR, SAINATO, AUMENT, BOBACK, CAUSER, D. COSTA, P. DALEY, FLECK, GABLER, GILLEN, GROVE, HARHART, C. HARRIS, HESS, KNOWLES, KORTZ, MACKENZIE, MURT, O'NEILL, ROCK, SANTARSIERO, SWANGER, TRUITT, GIBBONS, PAINTER, DONATUCCI AND FARRY, JANUARY 30, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 8, 2013

AN ACT

1 Amending the act of December 15, 1982 (P.L.1266, No.287),
2 entitled, as amended, "An act conferring limited residency
3 status on military personnel, their dependents and civilian
4 personnel assigned to an active duty station in
5 Pennsylvania," further providing for attendance at State-
6 related and State-owned institutions of higher learning and
7 community colleges.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1 of the act of December 15, 1982
11 (P.L.1266, No.287), entitled "An act conferring limited
12 residency status on military personnel, their dependents and
13 civilian personnel assigned to an active duty station in
14 Pennsylvania," amended June 28, 1996 (P.L.420, No.60) and July
15 9, 2010 (P.L.453, No.57), is amended to read:

16 Section 1. (a) General rule.--The term "resident" or
17 "residency," or any other term or expression used to designate a
18 Commonwealth resident student, when used to determine the rate

1 of tuition to be charged students attending community colleges,  
2 State-related and State-owned institutions of higher learning  
3 shall be construed to mean and include any veterans, their  
4 spouses and dependent children who do not currently reside in  
5 Pennsylvania. The term shall also be construed to mean and  
6 include military personnel [or their dependents], their spouses  
7 and dependent children who are assigned to an active duty  
8 station in Pennsylvania and who reside in Pennsylvania and any  
9 civilian personnel [or their dependents], their spouses and  
10 dependent children employed at a Department of Defense facility  
11 who are transferred to Pennsylvania by the Department of Defense  
12 and who reside in Pennsylvania. [Military]

13 (a.1) State-related or State-owned institutions.--Veterans,  
14 their spouses and dependent children, military personnel [and  
15 their dependents], their spouses and dependent children and  
16 civilian personnel [and their dependents], their spouses and  
17 dependent children who are admitted to [a community college or]  
18 a State-related or State-owned institution shall be charged  
19 resident tuition rates provided that the student is a resident  
20 under this section on the first day of the semester or term of  
21 the [college or] institution.

22 (a.2) Community colleges.--Veterans, their spouses and  
23 dependent children, military personnel, their spouses and  
24 dependent children and civilian personnel, their spouses and  
25 dependent children who are admitted to a community college shall  
26 be charged the local sponsor rate provided that the student is a  
27 resident under this section on the first day of the semester or  
28 term of the college.

29 (a.3) Distance learning tuition.--A community college,  
30 State-related or State-owned institution of higher learning

1 [may] shall charge resident tuition rates to any active military  
2 personnel and their dependents who are taking college courses or  
3 receiving other education services through the Internet or by  
4 other electronic means.

5 (A.4) ADDITIONAL ELIGIBILITY.--A CHILD, A SPOUSE OR A <--  
6 SURVIVING SPOUSE WHO IS ELIGIBLE TO RECEIVE BENEFITS UNDER 38  
7 U.S.C. CH. 35 (RELATING TO SURVIVORS' AND DEPENDENTS'  
8 EDUCATIONAL ASSISTANCE) SHALL ALSO BE CHARGED A RESIDENT TUITION  
9 RATE OR LOCAL SPONSOR RATE UNDER THE APPROPRIATE TERMS AND  
10 CONDITIONS OF SUBSECTION (A.1), (A.2) OR (A.3).

11 (b) Definitions.--As used in this section, the following  
12 words and phrases shall have the meanings given them in this  
13 subsection:

14 "Community colleges." Institutions now or hereafter created  
15 pursuant to Article XIX-A of the act of March 10, 1949 (P.L.30,  
16 No.14), known as the Public School Code of 1949, or the act of  
17 August 24, 1963 (P.L.1132, No.484), known as the Community  
18 College Act of 1963.

19 "Local sponsor." A school district, municipality or county  
20 board of school directors, or any combination of school  
21 districts, municipalities or county boards of school directors,  
22 that participate or propose to participate in the establishment  
23 and operation of a community college.

24 "Local sponsor rate." The tuition charged to an individual  
25 who is a resident of a school district or municipality that is a  
26 member of the local sponsor of the community college.

27 "Member of a local sponsor." A school district or  
28 municipality that, alone or with other districts and  
29 municipalities, is included in a local sponsor.

30 "State-owned institutions." Those institutions which are

1 part of the State System of Higher Education pursuant to Article  
2 XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the  
3 Public School Code of 1949.

4 "State-related institutions." The Pennsylvania State  
5 University, the University of Pittsburgh, Temple University and  
6 Lincoln University and their branch campuses.

7 "Veteran." An individual who served in the United States  
8 Armed Forces, including a reserve component or National Guard  
9 and who was discharged or released from service under conditions  
10 other than dishonorable and is eligible to receive benefits  
11 under ~~38 U.S.C. Ch.~~ 10 U.S.C. CHS. 1606 (RELATING TO EDUCATIONAL <--  
12 ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE) AND 1607  
13 (RELATING TO EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT  
14 MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND CERTAIN OTHER  
15 OPERATIONS) AND 38 U.S.C. CHS. 30 (RELATING TO ALL-VOLUNTEER  
16 FORCE EDUCATIONAL ASSISTANCE PROGRAM), 31 (RELATING TO TRAINING  
17 AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED  
18 DISABILITIES) AND 33 (relating to post-9/11 educational  
19 assistance).

20 Section 2. This act shall take effect immediately.