

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 131** Session of
2015

INTRODUCED BY BARRAR, V. BROWN, CONKLIN, DAVIDSON, DEASY,
GABLER, A. HARRIS, JAMES, MACKENZIE, READSHAW, SCHLOSSBERG,
TALLMAN, GILLEN, KORTZ, GIBBONS, DEAN, FARRY, BROWNLEE,
DAVIS, SIMS, MOUL AND BARBIN, JANUARY 21, 2015

SENATOR SMUCKER, EDUCATION, IN SENATE, AS AMENDED, JUNE 3, 2015

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
19 of tuition to be charged students attending community colleges,

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

13 (a.1) State-related or State-owned institutions.--Veterans,
14 their spouses and dependent children, military personnel, their
15 spouses and dependent children and civilian personnel [and their
16 dependents], their spouses and dependent children who are
17 admitted to [a community college or] a State-related or State-
18 owned institution shall be charged resident tuition rates
19 provided that the student is a resident under this section on
20 the first day of the semester or term of the [college or]
21 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) ELIGIBILITY.--A VETERAN AND HIS SPOUSE AND DEPENDENT <--
6 CHILDREN OR ANY OTHER INDIVIDUAL SHALL BE CHARGED A RESIDENT
7 TUITION RATE OR LOCAL SPONSOR RATE AS PROVIDED FOR UNDER THIS
8 ACT IF THE INDIVIDUAL IS ELIGIBLE TO RECEIVE BENEFITS UNDER ANY
9 OF THE FOLLOWING:

10 (1) 10 U.S.C. CHS. 1606 (RELATING TO EDUCATIONAL
11 ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE) AND 1607
12 (RELATING TO EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT
13 MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND CERTAIN OTHER
14 OPERATIONS).

15 (2) 38 U.S.C. CH. 30 (RELATING TO ALL-VOLUNTEER FORCE
16 EDUCATIONAL ASSISTANCE PROGRAM).

17 (3) 38 U.S.C. CH. 31 (RELATING TO TRAINING AND
18 REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED
19 DISABILITIES).

20 (4) 38 U.S.C. CH. 33 (RELATING TO POST-9/11 EDUCATIONAL
21 ASSISTANCE).

22 ~~(a.4)~~ (A.5) Additional eligibility.--A child, a spouse or a <--
23 surviving spouse who is eligible to receive benefits under 38
24 U.S.C. Ch. 35 (relating to survivors' and dependents'
25 educational assistance) shall also be charged a resident tuition
26 rate or local sponsor rate under the appropriate terms and
27 conditions of subsection (a.1), (a.2) or (a.3).

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

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

6 "Local sponsor." A school district, municipality or county
7 board of school directors, or any combination of school
8 districts, municipalities or county boards of school directors,
9 that participate or propose to participate in the establishment
10 and operation of a community college.

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

14 "Member of a local sponsor." A school district or
15 municipality that, alone or with other districts and
16 municipalities, is included in a local sponsor.

17 "State-owned institutions." Those institutions which are
18 part of the State System of Higher Education pursuant to Article
19 XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the
20 Public School Code of 1949.

21 "State-related institutions." The Pennsylvania State
22 University, the University of Pittsburgh, Temple University and
23 Lincoln University and their branch campuses.

24 "Veteran." An individual who served in the United States
25 Armed Forces, including a reserve component or National Guard
26 and who was discharged or released from service under conditions
27 other than dishonorable and is eligible to receive benefits <--
28 under 10 U.S.C. Chs. 1606 (relating to educational assistance
29 for members of the selected reserve) and 1607 (relating to
30 educational assistance for reserve component members supporting

1 ~~contingency operations and certain other operations) and 38~~
2 ~~U.S.C. Chs. 30 (relating to all volunteer force educational~~
3 ~~assistance program), 31 (relating to training and rehabilitation~~
4 ~~for veterans with service connected disabilities) and 33~~
5 ~~(relating to post 9/11 educational assistance).. THE TERM <--~~
6 INCLUDES AN INDIVIDUAL DESCRIBED IN 33 U.S.C. § 3319(B)
7 (RELATING TO AUTHORITY TO TRANSFER UNUSED EDUCATION BENEFITS TO
8 FAMILY MEMBERS).

9 Section 2. This act shall take effect ~~immediately~~ JULY 1, <--
10 2015, OR IMMEDIATELY, WHICHEVER IS LATER.