

AMENDED IN SENATE JUNE 30, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 882

Introduced by Assembly Member ~~Cook~~ Members *Cook and Blumenfield*

February 17, 2011

An act to amend Sections 68074 and 68075 of the Education Code, and to repeal, add, and repeal Section 974.5 of the Military and Veterans Code, relating to *military and veterans*.

LEGISLATIVE COUNSEL'S DIGEST

AB 882, as amended, Cook. Veterans *and military*: benefits and services.

Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of fees to be paid by students at public institutions of higher education in the state. Existing law entitles an undergraduate student who is a dependent of a member of the Armed Forces of the United States stationed in this state on active duty to resident classification for purposes of determining the amount of tuition and fees. Existing law entitles a graduate student, under the same circumstances, to resident classification for no more than one academic year, after which he or she is subject to the general provisions otherwise establishing student residency requirements.

Existing law allows a student dependent of a member of the Armed Forces to keep his or her resident classification until he or she has resided in the state for the minimum time necessary to become a resident

in the event the member of the Armed Forces upon whom they are dependent is transferred outside of the state or retires as an active member of the Armed Forces.

Existing law also grants a member of the Armed Forces who is stationed in the state on active duty, except a member assigned for educational purposes to a state-supported institution of higher education, to resident classification for tuition purposes. A member of the Armed Forces seeking a graduate degree is entitled to resident classification for no more than 2 academic years.

Federal law prohibits a state receiving federal assistance under the Higher Education Opportunity Act from charging a higher rate for attendance at a public institution of higher education than is charged to residents of the state to a member of the Armed Forces who is on active duty for more than 30 days and whose domicile or permanent duty station is in the state, or to his or her spouse or dependent child. Existing federal law requires that the rate continue to apply so long as the member or his or her spouse or dependent child is continuously enrolled at the institution, notwithstanding a subsequent change in the permanent duty station of the member to a location outside of the state.

This bill would amend state law to conform with federal law granting a member of the Armed Forces, or his or her dependent, as provided, entitlement to resident classification for so long as he or she is continuously enrolled at that institution.

The bill would request the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

Existing law establishes the Department of Veterans Affairs within state government and sets forth its powers and duties, including, but not limited to, administration of veterans benefits programs. Existing law establishes the California Veterans Board within the department and sets forth its powers and duties, including, but not limited to, its power to determine operational policy for the department.

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive and employment training outreach programs. Existing law, the California Workforce Investment Act, requires each local workforce investment board to establish at least one full service one-stop career center in the local workforce investment area and to provide specified job placement services. Existing law

authorized the department and the Employment Development Department (EDD) to enter into interagency agreements with counties that elected to participate in a specified program.

This bill would, by January 1, 2013, and until January 1, 2016, require the department and EDD to enter into agreements with no more than 4 counties that elect to participate in the County Veterans Service Center Pilot Program, which this bill would establish.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68074 of the Education Code is amended
2 to read:

3 68074. (a) ~~(1) An undergraduate~~ A student who is a natural
4 or adopted child, stepchild, or spouse who is a dependent of a
5 member of the ~~armed forces~~ *Armed Forces* of the United States
6 stationed in this state on active duty ~~shall be~~ is entitled to resident
7 classification only for the purpose of determining the amount of
8 tuition and fees.

9 ~~(2) A student seeking a graduate degree who is a natural or~~
10 ~~adopted child, stepchild, or spouse who is a dependent of a member~~
11 ~~of the armed forces of the United States stationed in this state on~~
12 ~~active duty shall be entitled to resident classification only for the~~
13 ~~purpose of determining the amount of tuition and fees for no more~~
14 ~~than one academic year, and shall thereafter be subject to Article~~
15 ~~5 (commencing with Section 68060).~~

16 (b) If that member of the ~~armed forces~~ *Armed Forces* of the
17 United States, whose dependent natural or adopted child, stepchild,
18 or spouse is in attendance at an institution, (1) is thereafter
19 transferred on military orders to a place outside this state where
20 the member continues to serve in the ~~armed forces~~ *Armed Forces*
21 of the United States, or (2) is thereafter retired as an active member
22 of the ~~armed forces~~ *Armed Forces* of the United States, the student
23 dependent shall not lose his or her resident classification ~~until he~~
24 ~~or she has resided in the state the minimum time necessary to~~
25 ~~become a resident so long as he or she remains continuously~~
26 ~~enrolled at that institution.~~

27 SEC. 2. Section 68075 of the Education Code is amended to
28 read:

1 68075. (a) ~~An undergraduate~~ A student who is a member of
 2 the Armed Forces of the United States stationed in this state on
 3 active duty, except a member of the Armed Forces assigned for
 4 educational purposes to a state-supported institution of higher
 5 education, is entitled to resident classification only for the purpose
 6 of determining the amount of tuition and fees.

7 ~~(b) A student seeking a graduate degree who is a member of~~
 8 ~~the Armed Forces of the United States stationed in this state on~~
 9 ~~active duty, except a member of the Armed Forces assigned for~~
 10 ~~educational purposes to a state-supported institution of higher~~
 11 ~~education, shall be entitled to resident classification only for the~~
 12 ~~purpose of determining the amount of tuition and fees for no more~~
 13 ~~than two academic years, and shall thereafter be subject to Article~~
 14 ~~5 (commencing with Section 68060).~~

15 *(b) If that member of the Armed Forces of the United States*
 16 *who is in attendance at an institution is thereafter transferred on*
 17 *military orders to a place outside this state where the member*
 18 *continues to serve in the Armed Forces of the United States, he or*
 19 *she shall not lose his or her resident classification so long as he*
 20 *or she remains continuously enrolled at that institution.*

21 **SECTION 1.**

22 *SEC. 3.* Section 974.5 of the Military and Veterans Code is
 23 repealed.

24 ~~*SEC. 2.*~~

25 *SEC. 4.* Section 974.5 is added to the Military and Veterans
 26 Code, to read:

27 974.5. (a) The purpose of this section is to establish the County
 28 Veterans Service Center Pilot Program to provide a mechanism
 29 to facilitate the delivery of complete, efficient, information and
 30 other services to veterans in a convenient setting.

31 (b) By January 1, 2013, the Department of Veterans Affairs and
 32 the Department of Employment Development shall enter into
 33 interagency agreements with no more than four individual counties
 34 that elect to participate in the program pursuant to this section,
 35 after a determination that services to be provided pursuant to this
 36 section could improve the state's delivery of services and benefits
 37 to veterans and aid veterans in obtaining services and benefits to
 38 which veterans are entitled. Services provided pursuant to this
 39 section shall not be contrary to the purposes of, nor shall they be
 40 in conflict with, any one-stop service program provided under

1 federal guidelines. Pursuant to the agreements, the departments
2 may agree to provide resources and staff, or both, as necessary to
3 locate within a single facility owned by the participating county,
4 the state, or both.

5 (c) The veteran service center shall be staffed with persons
6 knowledgeable in employment and veterans benefits issues,
7 including, but not limited to, workforce development, job training,
8 educational benefits, compensation and pension benefits, and
9 low-interest financing offered through CalVet for home loans and
10 farm purchases, and shall contain all necessary resources,
11 information, forms, and other materials necessary for a veteran to
12 receive full employment assistance and a complete assessment of
13 veterans benefits to which he or she is entitled.

14 (d) This section shall remain in effect only until January 1, 2016,
15 and as of that date is repealed.

16 *SEC. 5. The Legislature hereby requests the Regents of the*
17 *University of California to establish the same residency*
18 *classifications for students enrolled at the University of California*
19 *as those enacted by this act.*