

AMENDED IN SENATE MAY 7, 2015
AMENDED IN ASSEMBLY MARCH 4, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 27

Introduced by Assembly Member Chávez
(Coauthor: Assembly Member Kim)

December 1, 2014

An act to amend Section 68075.5 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 27, as amended, Chávez. Public postsecondary education: exemption from nonresident tuition.

Under existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law exempts a student of the California Community Colleges or the California State University who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition for the length of time he or she lives in the state after being discharged up to the minimum time necessary to become a resident.

Existing law also exempts a student meeting the qualifications described above if he or she is enrolled, or intending to enroll, at a campus of the California Community Colleges or as an undergraduate at a campus of the California State University from paying nonresident tuition for up to one year if he or she files an affidavit with the institution stating that he or she intends to establish residency in California as soon as possible. Existing law requires a student to use this exemption within 2 years of being discharged.

Existing law requires the California Community Colleges and the California State University, and requests the University of California, to update and adopt policies no later than July 1, 2015, regarding tuition rates for eligible veterans and their eligible dependents to ensure conformity to, and compliance with, the federal Veterans Access, Choice, and Accountability Act of 2014 and the requirements of the provisions described above.

This bill would require or request, as applicable, that the policies of each segment of public postsecondary education be updated and adopted to also ensure continued participation in GI Bill education benefits, as defined.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. 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 68075.5 of the Education Code is
2 amended to read:
3 68075.5. (a) Except as provided for in subdivisions (c) and
4 (d), a student of the California Community Colleges or the
5 California State University who was a member of the Armed Forces
6 of the United States stationed in this state on active duty for more
7 than one year immediately prior to being discharged shall be
8 exempt from paying nonresident tuition for the length of time he
9 or she lives in this state after being discharged up to the minimum
10 time necessary to become a resident.
11 (b) (1) Except as provided for in subdivisions (c) and (d), a
12 student enrolled, or intending to enroll, at a campus of the
13 California Community Colleges, or as an undergraduate at a
14 campus of the California State University, who was a member of

1 the Armed Forces of the United States stationed in this state on
2 active duty for more than one year immediately prior to being
3 discharged shall be exempt from paying nonresident tuition for up
4 to one year if he or she files an affidavit with the institution at
5 which he or she is enrolled, or intends to enroll, stating that he or
6 she intends to establish residency in California as soon as possible.

7 (2) The one-year exemption provided in paragraph (1) shall be
8 used by the student within two years of being discharged.

9 (c) (1) Notwithstanding any other law, the California
10 Community Colleges and the California State University shall,
11 and the University of California is requested to, update and adopt
12 policies no later than July 1, 2015, regarding tuition rates for
13 eligible veterans and their eligible dependents to ensure continued
14 participation in GI bill education benefits, and to ensure conformity
15 to, and compliance with, the federal Veterans Access, Choice, and
16 Accountability Act of 2014 (Public Law 113-146) and the
17 requirements of this section.

18 (2) As used in this subdivision, “GI Bill education benefits”
19 refers to any education benefit administered by the United States
20 Department of Veterans Affairs pursuant to Title 38 of the United
21 States Code that is designed to help eligible veterans of the Armed
22 Forces of the United States or other-eligible persons-with *eligible*
23 *for those benefits because of* a relationship to a veteran of the
24 Armed Forces of the United States to cover the costs associated
25 with enrollment as a student of that segment.

26 (d) A former member of the Armed Forces of the United States
27 who received a dishonorable or bad conduct discharge shall not
28 be eligible for an exemption pursuant to this section.

29 SEC. 2. This act is an urgency statute necessary for the
30 immediate preservation of the public peace, health, or safety within
31 the meaning of Article IV of the Constitution and shall go into
32 immediate effect. The facts constituting the necessity are:

33 In order to ensure the state’s compliance with new federal
34 requirements to avoid the loss of federal educational assistance, it
35 is necessary that this act take effect immediately.

O