

**ASSEMBLY BILL**

**No. 1301**

---

---

**Introduced by Assembly Member Knight**

February 27, 2009

---

---

An act to amend Section 68074 of the Education Code, relating to student fees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1301, as introduced, Knight. Student fees: resident classification.

Under existing law, the 3 segments of the public postsecondary education system in the state are 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 is administered by the Board of Governors of the California Community Colleges.

Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of tuition and fees to be paid by students enrolled in public postsecondary education institutions. Existing law entitles an undergraduate student who is a specified dependent of a member of the Armed Forces of the United States stationed in this state on active duty to resident classification for the purpose of determining the amount of tuition and fees. Existing law entitles a student seeking a graduate degree who is a specified dependent of a member of the Armed Forces of the United States stationed in this state on active duty to resident classification for the purpose of determining the amount of tuition and fees for no more than one academic year. Existing law requires that, if that member of the Armed Forces of the United States whose dependent natural or adopted child, stepchild, or

spouse is in attendance at an institution is (1) thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, or (2) thereafter retired as an active member of the Armed Forces of the United States, the student dependent does not lose his or her resident classification until he or she has resided in the state the minimum time necessary to become a resident.

This bill would make technical, nonsubstantive changes in the provisions related to residency classification for dependents of members of the Armed Forces of the United States.

Vote: majority. Appropriation: no. Fiscal committee: no.  
 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 student who is a natural or  
 4 adopted child, stepchild, or spouse who is a dependent of a member  
 5 of the ~~armed forces~~ *Armed Forces* of the United States stationed  
 6 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~~ *Armed Forces* of the United States stationed  
 12 in this state on active duty ~~shall be~~ *is* entitled to resident  
 13 classification only for the purpose of determining the amount of  
 14 tuition and fees for no more than one academic year, and ~~shall~~  
 15 ~~thereafter be~~ *is thereafter* subject to Article 5 (commencing with  
 16 Section 68060).  
 17 (b) If that member of the ~~armed forces~~ *Armed Forces* of the  
 18 United States, whose dependent natural or adopted child, stepchild,  
 19 or spouse is in attendance at an institution, (1) is thereafter  
 20 transferred on military orders to a place outside this state where  
 21 the member continues to serve in the ~~armed forces~~ *Armed Forces*  
 22 of the United States, or (2) is thereafter retired as an active member  
 23 of the ~~armed forces~~ *Armed Forces* of the United States, the student  
 24 dependent shall not lose his or her resident classification until he

- 1 or she has resided in the state the minimum time necessary to
- 2 become a resident.

O