

SENATE BILL NO. 445

INTRODUCED BY MCGEE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE BOARD OF REGENTS OF THE MONTANA
5 UNIVERSITY SYSTEM TO WAIVE TUITION ~~AND FEES~~ REGARDLESS OF THE AVAILABILITY OF OTHER
6 WAIVERS FOR A QUALIFIED MEMBER OF THE ~~ACTIVE~~ MONTANA NATIONAL GUARD; AMENDING
7 SECTION 20-25-421, MCA; ~~REPEALING SECTION 10-1-121, MCA; REPEALING SECTION 10-1-121, MCA;~~
8 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE ~~AND~~ AN APPLICABILITY DATE, AND A TERMINATION
9 DATE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **Section 1.** Section 20-25-421, MCA, is amended to read:

14 **"20-25-421. Charges for tuition -- waivers.** (1) The regents may prescribe tuition rates, matriculation
15 charges, and incidental fees for students in institutions under their jurisdiction.

16 (2) The regents may:

17 (a) waive nonresident tuition for selected and approved nonresident students, not to exceed at any unit
18 2% of the full-time equivalent enrollment at that unit during the preceding year; however, when necessary, tuition
19 may be waived in excess of 2% of unit enrollment for nonresident students who enroll under provisions of any
20 WICHE-sponsored state reciprocal agreements that provide for the payment, when required, of the student
21 support fee by the reciprocal state;

22 (b) waive resident tuition for students at least 62 years of age;

23 (c) waive tuition and fees for:

24 ~~(i) a qualified member of the active Montana national guard;~~

25 ~~(i)(iii)(I)~~ persons of one-fourth Indian blood or more who have been bona fide residents of Montana for
26 at least 1 year prior to enrollment in the Montana university system;

27 ~~(ii)(iii)(II)~~ persons designated by the department of corrections pursuant to 52-5-112 or 53-1-214;

28 ~~(iii)(iv)(III)~~ residents of Montana who served with the armed forces of the United States in any of its wars
29 and who were honorably discharged from military service;

30 ~~(iv)(v)(IV)~~ children of residents of Montana who served with the armed forces of the United States in any

1 of its wars and who were killed in action or died as a result of injury, disease, or other disability incurred while
 2 in the service of the armed forces of the United States;

3 ~~(v)~~~~(vi)~~~~(v)~~ the spouses or children of residents of Montana who have been declared to be prisoners of
 4 war or missing in action; or

5 ~~(vi)~~~~(vii)~~~~(vi)~~ the spouse or children of a Montana national guard member who was killed or died as a result
 6 of injury, disease, or other disability incurred in the line of duty while serving on state active duty;

7 (d) waive tuition charges for qualified survivors of Montana firefighters or peace officers killed in the
 8 course and scope of employment. For purposes of this subsection, a qualified survivor is a person who meets
 9 the entrance requirements at the state university or college of the person's choice and is the surviving spouse
 10 or child of any of the following who were killed in the course and scope of employment:

11 (i) a paid or volunteer member of a municipal or rural fire department;

12 (ii) a law enforcement officer as defined in 7-32-201; or

13 (iii) a full-time highway patrol officer.

14 (E) WAIVE TUITION FOR UP TO 5,000 CREDITS EACH ACADEMIC YEAR IN ACCORDANCE WITH THE MONTANA
 15 NATIONAL GUARD EDUCATION BENEFIT PROGRAM PROVIDED FOR IN 10-1-121 ESTABLISHED BY THE DEPARTMENT OF
 16 MILITARY AFFAIRS;

17 (F) THE WAIVERS PROVIDED FOR IN SUBSECTION (2)(E) ARE INTENDED TO BE AVAILABLE FOR UP TO 5 YEARS
 18 AFTER THE PERSON QUALIFIES.

19 ~~(3) If funds are available after the waivers provided for in subsection (2), the regents may waive tuition~~
 20 ~~for up to 5,000 credits each academic year in accordance with the national guard education benefit program~~
 21 ~~provided for in 10-1-121."~~

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 23 NEW SECTION. SECTION 2. SAVING CLAUSE. [THIS ACT] DOES NOT AFFECT RIGHTS AND DUTIES THAT
 24 MATURED, PENALTIES THAT WERE INCURRED, OR PROCEEDINGS THAT WERE BEGUN BEFORE [THE TERMINATION DATE OF
 25 THIS ACT].

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 27 NEW SECTION. SECTION 3. REPEALER. SECTION 10-1-121, MCA, IS REPEALED.

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 29 ~~NEW SECTION. Section 2. Repealer. Section 10-1-121, MCA, is repealed.~~

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