

HOUSE BILL NO. 286

INTRODUCED BY C. BROCKIE, L. WHITFORD, B. SMITH, D. SALOMON, R. PEPPERS,
F. CALF BOSS RIBS, C. PEASE-LOPEZ

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE ELIGIBILITY FOR TUITION AND FEE WAIVERS TO INCLUDE RESIDENTS OF MONTANA WHO ARE ENROLLED MEMBERS OF A STATE-RECOGNIZED OR FEDERALLY RECOGNIZED INDIAN TRIBE LOCATED WITHIN THE BOUNDARIES OF THE STATE OF MONTANA; AMENDING SECTION 20-25-421, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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

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

(2) The regents may:

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

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

(c) waive tuition and fees for:

(i) persons ~~of one-fourth Indian blood or more~~ who HAVE ONE-FOURTH INDIAN BLOOD OR MORE OR are enrolled members of a state-recognized or federally recognized Indian tribe LOCATED WITHIN THE BOUNDARIES OF THE STATE OF MONTANA and who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana university system;

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

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

(iv) children of residents of Montana who served with the armed forces of the United States in any of its

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

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

5 (vi) the spouse or children of a Montana national guard member who was killed or died as a result of
6 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 (3) If funds are available after the waivers provided for in subsection (2), the regents may waive tuition
15 for up to 5,000 credits each academic year."

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17 **NEW SECTION. Section 2. Notification to tribal governments.** The secretary of state shall send a
18 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
19 Chippewa tribe.

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21 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2013.

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