



# House of Representatives

General Assembly

**File No. 14**

February Session, 2022

Substitute House Bill No. 5035

*House of Representatives, March 15, 2022*

The Committee on Higher Education and Employment Advancement reported through REP. ELLIOTT of the 88th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING IN-STATE TUITION FOR VETERANS AND ELIGIBLE DEPENDENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-29 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 The following shall determine the status of a student:

4 (1) Every person having [his] such person's domicile in this state shall  
5 be entitled to classification as an in-state student for tuition purposes.  
6 Except as otherwise provided in this part, no person having [his] such  
7 person's domicile outside of this state shall be eligible for classification  
8 as an in-state student for tuition purposes;

9 (2) The domicile of an unemancipated person is that of [his] such  
10 person's parent;

11 (3) Upon moving to this state, an emancipated person employed full-

12 time who provides evidence of domicile may apply for in-state  
13 classification for such person's spouse and unemancipated children  
14 after six consecutive months of residency and, provided such person is  
15 not [himself or herself] in this state primarily as a full-time student, such  
16 person's spouse and unemancipated children may at once be so  
17 classified, and may continue to be so classified as long as such person  
18 continues such person's domicile in this state;

19 (4) Any unemancipated person who remains in this state when such  
20 person's parent, having theretofore been domiciled in this state,  
21 removes from this state, shall be entitled to classification as an in-state  
22 student until attainment of the degree for which such person is currently  
23 enrolled, as long as such person's attendance at a school or schools in  
24 this state shall be continuous;

25 (5) The spouse of any person who is classified or is eligible for  
26 classification as an in-state student shall [likewise] be entitled to  
27 classification as an in-state student;

28 (6) (A) A member of the armed forces, as defined in section 27-103,  
29 who is stationed in this state pursuant to military orders shall be entitled  
30 to classification as an in-state student.

31 (B) The spouse of any person who is a member of the armed forces  
32 and stationed in this state pursuant to military orders shall be entitled  
33 to classification as an in-state student. The spouse, while in residence  
34 after the spouse's acceptance for matriculation at a constituent unit of  
35 the state system of higher education in a course of study leading to an  
36 associate, bachelor or advanced degree, shall not lose classification as an  
37 in-state student if the member of the armed forces is thereafter  
38 transferred on military orders;

39 (7) An unemancipated person whose parent is a member of the armed  
40 forces and stationed in this state pursuant to military orders shall be  
41 entitled to classification as an in-state student. The student, (A) while in  
42 continuous attendance toward the degree for which the student is  
43 currently enrolled, or (B) while in residence after [his or her] the

44 student's acceptance for matriculation at a constituent unit of the state  
45 system of higher education in a course of study leading to an associate,  
46 bachelor or advanced degree, shall not lose classification as an in-state  
47 student if [his or her] the student's parent is thereafter transferred on  
48 military orders;

49 (8) A student [that] who is from another state, territory or possession  
50 of the United States, the District of Columbia or the Commonwealth of  
51 Puerto Rico shall be classified as an in-state student, if such student (A)  
52 attended for three years and graduated from a high school in this state,  
53 and (B) was sponsored, housed and supported during attendance at  
54 such school by a program, such as the "A Better Chance" program,  
55 established as a nonprofit organization that raises charitable funds on  
56 the local level for the purpose of giving students who are minority  
57 students, are from single parent homes or live in poverty, an  
58 opportunity to attend school in a different environment. For purposes  
59 of this subdivision, "minority student" means a student whose racial  
60 ancestry is defined as other than white by the Bureau of Census of the  
61 United States Department of Commerce; [and]

62 (9) In accordance with 8 USC 1621(d), a person, other than a  
63 nonimmigrant alien as described in 8 USC 1101(a)(15)(A) to 8 USC  
64 1101(a)(15)(S), inclusive, and 8 USC 1101(a)(15)(V), shall be entitled to  
65 classification as an in-state student for tuition purposes, (A) if such  
66 person (i) resides in this state, (ii) attended any educational institution  
67 in this state and completed at least two years of high school level  
68 education in this state, (iii) graduated from a high school in this state, or  
69 the equivalent thereof, and (iv) is registered as an entering student, or is  
70 enrolled at a public institution of higher education in this state, and (B)  
71 if such person is without legal immigration status, such person files an  
72 affidavit with such institution of higher education stating that [he or  
73 she] such person has filed an application to legalize [his or her] such  
74 person's immigration status, or will file such an application as soon as  
75 [he or she] such person is eligible to do so; [.] and

76 (10) (A) A veteran who lives in this state, regardless of such veteran's

77 state of residence, shall be entitled to classification as an in-state student.  
 78 As used in this subdivision, "veteran" means any person discharged or  
 79 released, under conditions other than dishonorable, from a period of  
 80 ninety or more days of active service in the armed forces.

81 (B) A person who lives in this state, regardless of such person's state  
 82 of residence, and is entitled to educational assistance pursuant to the  
 83 Marine Gunnery Sergeant John David Fry Scholarship, 38 USC  
 84 3311(b)(8), as amended from time to time, shall be entitled to  
 85 classification as an in-state student.

86 (C) A person who lives in this state, regardless of such person's state  
 87 of residence, and to whom entitlement to educational assistance has  
 88 been transferred pursuant to the Post-9/11 G.I. Bill, 38 USC 3319, as  
 89 amended from time to time, by virtue of such person's relationship to a  
 90 veteran or a member described in 38 USC 3319(b), as amended from  
 91 time to time, who is serving on active duty, shall be entitled to  
 92 classification as an in-state student.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	10a-29

**HED**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
UConn	Tuition Fund - Potential Revenue Loss	Minimal	Minimal

**Municipal Impact:** None

**Explanation**

The bill, which requires the constituent units to charge in-state tuition rates to certain veterans and their family members otherwise considered out-of-state, results in a potential minimal annual revenue loss to the University of Connecticut, beginning in FY 23.

The bill's potential minimal annual revenue loss on a per-student basis is equal to the difference between in- and out-of-state tuition at UConn, which in FY 23 will be \$22,668 for full-time undergraduate students. The number of students affected is anticipated to be small because the populations affected by the bill are narrow. Based on information provided by UConn regarding veterans and family members for out-of-state status for enrollment purposes, annually under 50 students and possibly fewer than ten may be affected by the bill. The bill's impact on UConn's tuition revenues, which are budgeted to total \$473 million in FY 22, will be minimal.

The bill is not anticipated to have a fiscal impact to the Board of Regents, under current financial aid practices.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation in tuition rates and the number of impacted students.

**OLR Bill Analysis****sHB 5035*****AN ACT CONCERNING IN-STATE TUITION FOR VETERANS AND ELIGIBLE DEPENDENTS.*****SUMMARY**

This bill entitles veterans living in Connecticut to in-state student classification regardless of their legal residence. For this it defines “veteran” as any person discharged or released, under conditions other than dishonorable, from at least 90 days of active service in the armed forces. The bill also aligns state law with federal law by extending in-state student classification to (1) children and spouses of veterans who are entitled to educational assistance pursuant to the Marine Gunnery Sergeant John David Fry Scholarship and live in Connecticut and (2) eligible dependents to whom Post-9/11 G.I. Bill benefits can be transferred.

It also makes minor and technical changes.

EFFECTIVE DATE: July 1, 2022

**BACKGROUND*****Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020***

The Johnny Isakson and David P. Roe M.D. Veterans Health Care and Benefits Improvement Act of 2020 (P.L. 116-315) enhances or expands education benefits for veterans, service members, families, and survivors. Among other things, it expands (1) eligibility for the Fry Scholarship and (2) the transfer of entitlement (i.e., eligibility) for certain dependents under the post 9/11 G.I. Bill.

**Tuition Waivers for Veterans**

By law, the state's public colleges and universities must waive tuition in excess of federal veterans' benefit via the Post-9/11 G.I. Bill for eligible veterans who are accepted at an approved institution and live in the state at the time of the acceptance. The tuition waiver does not apply to other charges or fees, such as student activity fees and room and board (CGS §§ 10a-77(e), 10a-99(e) & 10a-105(f)).

This benefit applies to (1) wartime veterans and (2) veterans who were discharged under conditions other than dishonorable or for bad conduct and have a "qualifying condition" (i.e., a diagnosis of posttraumatic stress disorder or traumatic brain injury, or who have disclosed a military sexual trauma experience) (CGS § 27-103).

**COMMITTEE ACTION**

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/03/2022)