AN ACT relating to education; prohibiting the Board of Regents of the University of Nevada from assessing tuition charges against certain students; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:
Existing law prohibits the Board of Regents of the University of Nevada from assessing tuition charges against certain students, including, without limitation, students whose families have been bona fide residents of this State for at least 12 months before the student matriculates at a university, state college or community college. (NRS 396.540) This bill prohibits the Board of Regents from assessing tuition charges against students who: (1) graduated from a high school or successfully completed a high school equivalency assessment in this State; and (2) are members of a federally recognized Indian tribe or nation in this State or are certified by such a tribe or nation as being of at least one-quarter Indian blood.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 396.540 is hereby amended to read as follows:

396.540 1. For the purposes of this section:
(a) “Bona fide resident” shall be construed in accordance with the provisions of NRS 10.155 and policies established by the Board of Regents, to the extent that those policies do not conflict with any statute. The qualification “bona fide” is intended to ensure that the residence is genuine and established for purposes other than the avoidance of tuition.
(b) “Matriculation” has the meaning ascribed to it in regulations adopted by the Board of Regents.

(c) “Tuition charge” means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the System, but tuition charges must not be assessed against:

(a) All students whose families have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the System;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 12 months before their matriculation at a university, state college or community college within the System;

(c) All students whose parent, legal guardian or spouse is a member of the Armed Forces of the United States who:

(1) Is on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California; or

(2) Was on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California, on the date on which the student enrolled at an institution of the System if such students maintain continuous enrollment at an institution of the System;

(d) All students who are using benefits under the Marine Gunnery Sergeant John David Fry Scholarship pursuant to 38 U.S.C. § 3311(b)(9);

(e) All public school teachers who are employed full-time by school districts in the State of Nevada;

(f) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS;

(g) Employees of the System who take classes other than during their regular working hours;

(h) Members of the Armed Forces of the United States who are on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a
specific nexus to this State, including, without limitation, the Marine
Corps Mountain Warfare Training Center located at Pickel Meadow,
California;

(i) Veterans of the Armed Forces of the United States who were
honorably discharged and who were on active duty while stationed
at a military installation in the State of Nevada or a military
installation in another state which has a specific nexus to this State,
including, without limitation, the Marine Corps Mountain Warfare
Training Center located at Pickel Meadow, California, on the date of
discharge;

(j) Except as otherwise provided in subsection 3, veterans of the
Armed Forces of the United States who were honorably discha
rged within the 5 years immediately preceding the date of matriculation
of the veteran at a university, state college or community college
within the System; [and]

(k) Veterans of the Armed Forces of the United States who have
been awarded the Purple Heart [ ]; and

(l) Students who:

(1) Graduated from a high school or successfully completed
a high school equivalency assessment in this State; and

(2) Are members of any federally recognized Indian tribe or
nation, all or part of which is located within the boundaries of this
State, or are certified by the enrollment department of such a tribe
or nation as being of at least one-quarter Indian blood regardless
of membership status.

3. The Board of Regents may grant more favorable exemptions
from tuition charges for veterans of the Armed Forces of the United
States who were honorably discharged than the exemption provided
pursuant to paragraph (j) of subsection 2, if required for the receipt
of federal money.

4. The Board of Regents may grant exemptions from tuition
charges each semester to other worthwhile and deserving students
from other states and foreign countries, in a number not to exceed a
number equal to 3 percent of the total matriculated enrollment of
students for the last preceding fall semester.

Sec. 2. This act becomes effective on July 1, 2021.