

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE DRH60049-LH-4 (11/15)

Short Title: Amend Leg. Tuition Grants. (Public)

Sponsors: Representatives Owens and Stam (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDING  
LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING  
ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 1 of Chapter 116 of the General Statutes is amended by adding the following new section:

**§ 116-25.1. Legislative tuition grants to aid eligible students attending certain private institutions of higher education; different administrative procedure.**

(a) Definitions. – The following definitions apply in this section:

(1) "Institution" means a nonprofit educational institution with a main permanent campus located in this State that satisfies all of the following:

a. Is not owned or operated by the State of North Carolina or by an agency or political subdivision of the State or by any combination thereof.

b. Is accredited by the Southern Association of Colleges and Schools under the standards of the College Delegate Assembly of the Association.

c. Awards a postsecondary degree as defined in G.S. 116-15.

(2) "Main permanent campus" means a campus that is owned by the institution that provides permanent on-premises housing, food services, and classrooms with full-time faculty members and administration that engage in postsecondary degree activity as defined in G.S. 116-15.

1           (3)    "Student" means a person enrolled in and attending an institution  
2                   located in the State (i) who qualifies as a resident of North Carolina in  
3                   accordance with definitions of residency that may from time to time be  
4                   adopted by the Board of Governors of The University of North  
5                   Carolina and published in the residency manual of the Board, and (ii)  
6                   who has not received a bachelors degree, or qualified therefor, and  
7                   who is otherwise classified as an undergraduate under such regulations  
8                   as the Board of Governors of The University of North Carolina may  
9                   promulgate. Qualification for in-State tuition under G.S. 116-143.3  
10                  makes a person a "student" as defined in this subdivision.

11           (b)    Eligibility. – A student is eligible for a legislative tuition grant under this  
12                  section for an academic year if the student is a full-time North Carolina undergraduate  
13                  student attending an institution as defined by this section and is not eligible for a  
14                  legislative tuition grant under G.S. 116-21.2 for the same academic year.

15           (c)    Administration. – The legislative tuition grants provided for in this section  
16                  shall be administered by the State Education Assistance Authority pursuant to rules  
17                  adopted by the State Education Assistance Authority not inconsistent with this section.  
18                  The State Education Assistance Authority shall pay the legislative tuition grant to each  
19                  student eligible under this section. The amount of the grant shall be the same sum as  
20                  determined by the General Assembly under G.S. 116-21.2. The legislative tuition grant  
21                  shall be paid to a student only after the student completes the academic year. The grant  
22                  shall be paid directly to the student on or after July 1 following the completion of the  
23                  academic year. The State Education Assistance Authority shall not remit any grant until  
24                  it receives proper certification from an institution that the student applying for the grant  
25                  is an eligible student.

26           (d)    Shortfall. – In the event there are not sufficient funds to provide each eligible  
27                  student with a full grant:

28                  (1)    The Board of Governors of The University of North Carolina, with the  
29                          approval of the Office of State Budget and Management, may transfer  
30                          available funds to meet the needs of the programs provided by this  
31                          section; and

32                  (2)    Each eligible student shall receive a pro rata share of funds then  
33                          available for the appropriate academic year within the fiscal period  
34                          covered by the current appropriation.

35           (e)    Reversion. – Any remaining funds shall revert to the General Fund."

36                  **SECTION 2.** G.S. 116-21.3(d) reads as rewritten:

37                  "(d) A legislative tuition grant authorized under G.S. 116-21.2 or G.S. 116-25.1  
38 shall be reduced by twenty-five percent (25%) for any individual student who has  
39 completed 140 semester credit hours or the equivalent of 140 semester credit hours."

40                  **SECTION 3.** G.S. 116-21.4(b) reads as rewritten:

41                  "(b) Expenditures made pursuant to G.S. 116-19, 116-20, 116-21.1, ~~or 116-21.2~~  
42 116-21.2, or 116-25.1 shall not be used for any student who:

43                          (1)    Is incarcerated in a State or federal correctional facility for committing  
44                                  a Class A, B, B1, or B2 felony; or

1                   (2)    Is incarcerated in a State or federal correctional facility for committing  
2                            a Class C through I felony and is not eligible for parole or release  
3                            within 10 years."

4                   **SECTION 4.** This act becomes effective July 1, 2003, and applies to the  
5   2003-2004 academic year and each year thereafter.