

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS75194-LC-42D (3/3)

Short Title: Waive Deadlines for Troops.

(Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR
DEPLOYED MILITARY PERSONNEL.

The General Assembly of North Carolina enacts:

SECTION 1. Deployed Military Personnel Defined. – As used in this act,
the term 'deployed military personnel' includes both of the following:

- (1) A member of the armed forces or the armed forces reserves of the
United States on active duty in support of Operation Iraqi Freedom on
or after January 1, 2003.
- (2) A member of the North Carolina Army National Guard or the North
Carolina Air National Guard called to active duty in support of
Operation Iraqi Freedom on or after January 1, 2003.

SECTION 2. Proof. – A copy of a soldier's military orders specifying
deployment is conclusive evidence of the soldier's deployment.

SECTION 3. Waiver of Deadlines, Fees, and Penalties. – Except as
prohibited by the Constitution, the Governor may extend deadlines and waive penalties
or fees as is necessary to alleviate hardship created for deployed military personnel
serving in Operation Iraqi Freedom. This authority includes the authority to do all of the
following:

- (1) Extend for up to 90 days from the end of deployment the validity of a
permanent or temporary drivers license issued under G.S. 20-7 to
deployed military personnel.
- (2) Waive civil penalties and restoration fees under G.S. 20-309 for any
deployed military personnel whose motor vehicle liability insurance
lapsed during the period of deployment or within 90 days after the
soldier returned to North Carolina if the soldier certifies to the
Division of Motor Vehicles that the motor vehicle was not driven on

1 the highway by anyone during the period in which the motor vehicle
2 was uninsured and that the owner now has liability insurance on the
3 motor vehicle.

4 (3) Allow up to 90 days from the end of deployment for any deployed
5 military personnel to renew a license as defined in G.S. 93B-1. During
6 the period of deployment or active duty and until the expiration of the
7 90-day period provided for in this subdivision, expired licenses that are
8 within the scope of this act remain valid, as if they had not expired.

9 (4) Require that any renewal fee applicable to the renewal of a license
10 under subdivision (3) of this section be prorated over the period
11 covered by the license and reduced in proportion to the period of time
12 that the licensee was deployed outside the State.

13 **SECTION 4.(a)** Property Taxes. – Notwithstanding G.S. 105-360 or G.S.
14 105-330.4, deployed military personnel are allowed 90 days after the end of their
15 deployment to pay property taxes at par, for any property taxes that became due or
16 delinquent during the term of the deployment. For these individuals, the taxes for the
17 relevant tax year do not become delinquent until after the end of the 90-day period
18 provided in this section, and an individual who pays the property taxes before the end of
19 the 90-day period is not liable for interest on the taxes for the relevant tax year. If the
20 individual does not pay the taxes before the end of the 90-day period, interest accrues on
21 the taxes according to the schedule provided in G.S. 105-360 or G.S. 105-330.4, as
22 applicable, as though the taxes were unpaid as of the date the taxes would have become
23 delinquent if not for this section.

24 **SECTION 4.(b)** Notwithstanding G.S. 105-307, deployed military personnel
25 required to list property for taxation while deployed are allowed 90 days after the end of
26 the deployment to list the property. For these individuals, the listing period for the
27 relevant tax year is extended until the end of the 90-day period provided in this act, and
28 an individual who lists the property before the end of the 90-day period is not subject to
29 civil or criminal penalties for failure to list the property required to be listed during
30 deployment.

31 **SECTION 5.(a)** Community College Refunds. – Upon request of the
32 student, each community college shall:

33 (1) Grant a full refund of curriculum tuition and fees to military reserve
34 and national guard personnel called to active duty or active personnel
35 who have received temporary or permanent reassignments as a result
36 of military operations that make it impossible for them to complete
37 their course requirements; and

38 (2) Buy back textbooks through the colleges' bookstore operations to the
39 extent possible. Colleges shall use distance-learning technologies and
40 other educational methodologies to help these students, under the
41 guidance of faculty and administrative staff, complete their course
42 requirements.

43 **SECTION 5.(b)** Upon request of the student, each community college shall:

- 1 (1) Grant a full refund of extension registration fees to military reserve
2 and national guard personnel called to active duty or active personnel
3 who have received temporary or permanent reassignments as a result
4 of military operations that make it impossible for them to complete
5 their course requirements; and
- 6 (2) Buy back textbooks through the colleges' bookstore operations to the
7 extent possible. Colleges shall use distance-learning technologies and
8 other educational methodologies to help these students, under the
9 guidance of faculty and administrative staff, complete their course
10 requirements.

11 **SECTION 5.(c)** This section applies to the 2002-2003 and 2003-2004
12 academic years only.

13 **SECTION 6.(a)** UNC System Refunds. – This section is intended to assist
14 the constituent institutions of The University of North Carolina in situations in which
15 students request refunds of tuition or fees because of involuntary or voluntary service in
16 the military or because of circumstances related to national emergencies.

17 Upon request of the student, all constituent institutions may issue a full
18 refund of tuition and required fees to students who are involuntarily called to active duty
19 in the military after a semester or term begins.

20 All constituent institutions should have a process for determining on a
21 case-by-case basis whether to grant a full refund of tuition and required fees to students
22 who volunteer for military service or who request to withdraw because of circumstances
23 related to a national emergency.

24 Constituent institutions should determine under what circumstances students
25 who withdraw because of military service or circumstances related to national
26 emergencies should be given the option of receiving incompletes in their courses instead
27 of receiving tuition and fee refunds.

28 Constituent institutions should determine whether or not to give full or pro
29 rata refunds of housing, parking, and other optional fees to students to whom they give
30 tuition and required fee refunds.

31 Constituent institutions that offer courses on military bases should defer to
32 their contracts with the military in making determinations concerning withdrawal from
33 courses due to changes in assignments of military personnel.

34 It is recommended that every campus review its policy on tuition refunds and
35 make modifications necessary to cover the circumstances described in this section.

36 **SECTION 6.(b)** Legislative Tuition Grants. – Students who are receiving
37 the North Carolina Legislative Tuition Grant who lose their full-time student status due
38 to a call to active military duty or circumstances related to national emergencies shall
39 not be required to repay the Legislative Tuition Grant for that semester. The North
40 Carolina State Education Assistance Authority shall implement this subsection.

41 **SECTION 6.(c)** This section applies to the 2002-2003 and 2003-2004
42 academic years only.

43 **SECTION 7.** This act is effective when it becomes law.