

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 936

Short Title: Waive Deadlines for Troops.

(Public)

Sponsors: Senator Kerr.

Referred to: Finance.

April 3, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR
3 DEPLOYED MILITARY PERSONNEL.

4 The General Assembly of North Carolina enacts:

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

7 (1) A member of the armed forces or the armed forces reserves of the
8 United States on active duty in support of Operation Iraqi Freedom on
9 or after January 1, 2003.

10 (2) A member of the North Carolina Army National Guard or the North
11 Carolina Air National Guard called to active duty in support of
12 Operation Iraqi Freedom on or after January 1, 2003.

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

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

20 (1) Extend for up to 90 days from the end of deployment the validity of a
21 permanent or temporary drivers license issued under G.S. 20-7 to
22 deployed military personnel.

23 (2) Waive civil penalties and restoration fees under G.S. 20-309 for any
24 deployed military personnel whose motor vehicle liability insurance
25 lapsed during the period of deployment or within 90 days after the
26 soldier returned to North Carolina if the soldier certifies to the
27 Division of Motor Vehicles that the motor vehicle was not driven on
28 the highway by anyone during the period in which the motor vehicle

1 was uninsured and that the owner now has liability insurance on the
2 motor vehicle.

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

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

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

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

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

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

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

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

43 (1) Grant a full refund of extension registration fees to military reserve
44 and national guard personnel called to active duty or active personnel

1 who have received temporary or permanent reassignments as a result
2 of military operations that make it impossible for them to complete
3 their course requirements; and

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

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

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

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

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

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

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

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

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

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

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

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