

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

Senate Bill 39

BY SENATORS WELD, BOSO, AND BALDWIN

[Originating in the Committee on Education; Reported
on February 6, 2019]

1 A BILL to amend and reenact §18B-10-1a of the Code of West Virginia, 1931, as amended,
2 relating generally to in-state residency tuition rates; providing that nonresident members
3 of a reserve unit in West Virginia qualify as residents for purposes of determining tuition
4 rates; removing the requirement that members of the National Guard participate in the
5 National Guard education services program; and providing that current members of the
6 United States armed forces who reside in West Virginia qualify as residents for purposes
7 of determining tuition rates.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 10. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF
HIGHER EDUCATION.**

**§18B-10-1a. Resident tuition rates for ~~National Guard~~ members of the National Guard,
Reserve and Armed Forces.**

1 (a) The term “resident” or “residency”, or any other term or expression used to designate
2 a West Virginia resident student, when used to determine the rate of tuition to be charged students
3 attending ~~community colleges and state-related and state-owned~~ state institutions of higher
4 education shall be construed to include the following:

5 (1) Members of the National Guard or Reserve who are not residents of West Virginia but
6 who are active members of a National Guard or Reserve unit in West Virginia; ~~who are~~
7 ~~participating in the National Guard education services program~~ and

8 (2) Current members of the United States armed forces who reside in West Virginia.

9 (b) ~~A member of the National Guard who qualifies as a resident~~ A person who qualifies as
10 a resident, as that term is defined in subsection (a) of this section, on the first day of the semester
11 or term of the college or institution, shall be charged resident tuition rates.

12 (c) The provisions of this section apply at the beginning of the semester or term
13 immediately following the effective date of this section.