

ASSEMBLY BILL NO. 262—ASSEMBLYMEN ANDERSON, DURAN,
PETERS, BRITNEY MILLER AND WATTS

MARCH 15, 2021

Referred to Committee on Education

SUMMARY—Revises provisions governing education.
(BDR 34-946)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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:

1 Existing law prohibits the Board of Regents of the University of Nevada from
2 assessing tuition charges against certain students, including, without limitation,
3 students whose families have been bona fide residents of this State for at least 12
4 months before the student matriculates at a university, state college or community
5 college. (NRS 396.540) This bill prohibits the Board of Regents from assessing
6 tuition charges against students who: (1) graduated from a high school or
7 successfully completed a high school equivalency assessment in this State; and (2)
8 are members of a federally recognized Indian tribe or nation in this State or are
9 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:

1 **Section 1.** NRS 396.540 is hereby amended to read as follows:
2 396.540 1. For the purposes of this section:
3 (a) “Bona fide resident” shall be construed in accordance with
4 the provisions of NRS 10.155 and policies established by the Board
5 of Regents, to the extent that those policies do not conflict with any
6 statute. The qualification “bona fide” is intended to ensure that the
7 residence is genuine and established for purposes other than the
8 avoidance of tuition.



1 (b) "Matriculation" has the meaning ascribed to it in regulations
2 adopted by the Board of Regents.

3 (c) "Tuition charge" means a charge assessed against students
4 who are not residents of Nevada and which is in addition to
5 registration fees or other fees assessed against students who are
6 residents of Nevada.

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

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

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

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

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

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

33 (d) All students who are using benefits under the Marine
34 Gunnery Sergeant John David Fry Scholarship pursuant to
35 38 U.S.C. § 3311(b)(9);

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

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

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

43 (h) Members of the Armed Forces of the United States who are
44 on active duty and stationed at a military installation in the State of
45 Nevada or a military installation in another state which has a



1 specific nexus to this State, including, without limitation, the Marine
2 Corps Mountain Warfare Training Center located at Pickel Meadow,
3 California;

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

11 (j) Except as otherwise provided in subsection 3, veterans of the
12 Armed Forces of the United States who were honorably discharged
13 within the 5 years immediately preceding the date of matriculation
14 of the veteran at a university, state college or community college
15 within the System; ~~and~~

16 (k) Veterans of the Armed Forces of the United States who have
17 been awarded the Purple Heart ~~;~~; *and*

18 *(l) Students who:*

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

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

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

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

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

