

# HOUSE BILL No. 1368

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 21-14.

**Synopsis:** In-state tuition for military families. Defines military dependent. Provides that a military dependent, whose spouse, parent, or legal guardian: (1) is currently serving on active duty in an active component of the armed forces; (2) designated Indiana as their home of record at the time of enlistment and continues to maintain Indiana as the home of record at the time the military dependent is admitted to a state educational institution; and (3) is a legal resident of Indiana; is eligible to pay the resident tuition rate for an undergraduate course at a state educational institution. Requires a military dependent to physically attend the qualified course in Indiana in order to qualify for the resident tuition rate. Provides that an Indiana veteran and the Indiana veteran's military dependent are eligible for the resident tuition rate for an undergraduate course upon admission to a state educational institution not more than 12 months after the later of: (1) the date the Indiana veteran separates from active duty from an active component of the armed forces; or (2) the date the Indiana veteran is released from a hospital or rehabilitative facility after receiving care for a service related injury resulting from the Indiana veteran's active duty in an active duty service. Requires an Indiana veteran or Indiana veteran's military dependent to physically attend the qualified course in Indiana in order to qualify for the resident tuition rate.

**Effective:** July 1, 2012.

---

---

**Heuer, Kubacki, Baird, GiaQuinta**

---

---

January 11, 2012, read first time and referred to Committee on Education.

---

---

C  
O  
P  
Y



Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

C  
o  
p  
y

# HOUSE BILL No. 1368



A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 21-14-1-5.3 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2012]: **Sec. 5.3. For purposes of IC 21-14-9-4, "Indiana veteran"**
- 4 **has the meaning set forth in IC 21-14-9-4(b).**
- 5 SECTION 2. IC 21-14-1-5.7 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2012]: **Sec. 5.7. For purposes of IC 21-14-9-3 and IC 21-14-9-4,**
- 8 **"military dependent" has the meaning set forth in 37 U.S.C.**
- 9 **401(a)(1) and 37 U.S.C. 401(a)(2), as in effect on January 1, 2012.**
- 10 SECTION 3. IC 21-14-1-5.8 IS ADDED TO THE INDIANA CODE
- 11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 12 1, 2012]: **Sec. 5.8. For purposes of IC 21-14-9-3 and IC 21-14-9-4,**
- 13 **"qualified course" means a course prescribed by a state**
- 14 **educational institution to obtain an undergraduate degree.**
- 15 SECTION 4. IC 21-14-9-3 IS ADDED TO THE INDIANA CODE
- 16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 17 1, 2012]: **Sec. 3. (a) This section applies to a military dependent**



1 admitted to a state educational institution after June 30, 2012.

2 (b) Notwithstanding any other statute, a military dependent  
3 whose spouse, parent, or legal guardian:

4 (1) is currently serving on active duty in an active component  
5 of the armed forces of the United States;

6 (2) designated Indiana as the spouse's, parent's, or legal  
7 guardian's home of record at the time of enlistment in an  
8 active component of the armed forces of the United States and  
9 continues to maintain Indiana as the home of record at the  
10 time the military dependent is admitted to a state educational  
11 institution; and

12 (3) is a legal resident of Indiana at the time the military  
13 dependent is admitted to a state educational institution;

14 is eligible to pay the resident tuition rate determined by the state  
15 educational institution for a qualified course taken by the military  
16 dependent while attending the state educational institution. In  
17 order for a military dependent to be eligible to pay the resident  
18 tuition rate under this section, the military dependent must  
19 physically attend the qualified course in Indiana.

20 (c) The military dependent is eligible to pay a resident rate for  
21 a qualified course regardless of whether the military dependent has  
22 resided in Indiana long enough to establish Indiana residency  
23 under the otherwise applicable policies of the state educational  
24 institution.

25 (d) A state educational institution may request reasonable  
26 documentation to verify that a military dependent's spouse, parent,  
27 or legal guardian is a legal resident of Indiana under subsection  
28 (b)(3). A military dependent may submit the most recent copy of  
29 the military dependent's spouse's, parent's, or legal guardian's  
30 military leave and earnings statement to satisfy the requirements  
31 of this subsection.

32 SECTION 5. IC 21-14-9-4 IS ADDED TO THE INDIANA CODE  
33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
34 1, 2012]: Sec. 4. (a) This section applies to an Indiana veteran or an  
35 Indiana veteran's military dependent admitted to a state  
36 educational institution after June 30, 2012.

37 (b) As used in this section, "Indiana veteran" means an  
38 individual who:

39 (1) designated Indiana as the individual's home of record at  
40 the time of enlistment in an active component of the armed  
41 forces of the United States and continues to maintain Indiana  
42 as the home of record throughout the individual's military

C  
O  
P  
Y



1 service;

2 (2) is a legal resident of Indiana throughout the Indiana

3 veteran's military service at the time the Indiana veteran or

4 Indiana veteran's military dependent is admitted to a state

5 educational institution; and

6 (3) received any discharge or separation from the armed

7 forces of the United States other than a dishonorable

8 discharge.

9 (c) An Indiana veteran or an Indiana veteran's military

10 dependent who is admitted to a state educational institution not

11 more than twelve (12) months after the later of:

12 (1) the date of the Indiana veteran's discharge or separation

13 from an active component of the armed forces of the United

14 States; or

15 (2) if applicable, the date the Indiana veteran was released

16 from a hospital or rehabilitative facility after receiving care

17 for a service related injury received during the Indiana

18 veteran's active duty service;

19 is eligible to pay the resident tuition rate for a qualified course

20 taken by the Indiana veteran or the Indiana veteran's military

21 dependent while attending the state educational institution.

22 (d) An Indiana veteran and an Indiana veteran's military

23 dependent are eligible to pay a resident tuition rate for a qualified

24 course:

25 (1) regardless of whether the Indiana veteran or the Indiana

26 veteran's military dependent has resided in Indiana after the

27 Indiana veteran received a discharge or separation from the

28 armed forces of the United States long enough to establish

29 Indiana residency under the otherwise applicable policies of

30 the state educational institution; and

31 (2) regardless of whether the Indiana veteran or Indiana

32 veteran's military dependent has returned to Indiana for the

33 primary purpose of attending the state educational institution.

34 In order for a Indiana veteran or Indiana veteran's military

35 dependent to be eligible to pay the resident tuition rate under this

36 section, the Indiana veteran or the Indiana veteran's military

37 dependent must physically attend the qualified course in Indiana.

38 (e) An Indiana veteran or an Indiana veteran's military

39 dependent who is admitted to a state educational institution after

40 the time frame specified in subsection (c) is subject to the tuition

41 policies determined by the state educational institution. An Indiana

42 veteran or an Indiana veteran's military dependent who is

COPY



1 admitted in a graduate degree program at a state educational  
2 institution is subject to the tuition policies determined by the state  
3 educational institution.

4 (f) A state educational institution may request reasonable  
5 documentation to verify that an Indiana veteran is a legal resident  
6 of Indiana under subsection (b)(2). An individual may submit the  
7 most recent copy of the individual's military leave and earnings  
8 statement to satisfy the requirements of this subsection.

C  
o  
p  
y

