

**SENATE BILL No. 123**

By Senators Pittman and Peck

1-31

1 AN ACT concerning postsecondary education; relating to residency  
2 determination of certain students; deeming veterans and dependents or  
3 spouses of such veterans who were stationed in the state for at least 11  
4 months as residents for purposes of tuition and fees; amending K.S.A.  
5 2022 Supp. 48-3601 and repealing the existing section.  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2022 Supp. 48-3601 is hereby amended to read as  
9 follows: 48-3601. (a) A current member of the armed forces of the United  
10 States or the member's spouse or dependent child who is enrolled or has  
11 been accepted for admission at a postsecondary educational institution as a  
12 postsecondary student shall be deemed to be a resident of the state for the  
13 purpose of tuition and fees for attendance at such postsecondary  
14 educational institution.

15 (b) A person is entitled to pay tuition and fees at an institution of  
16 higher education at the rates provided for Kansas residents without regard  
17 to the length of time the person has resided in the state if the person:

18 (1) (A) Files a letter of intent to establish residence in the state with  
19 the postsecondary educational institution at which the person intends to  
20 register;

21 (B) lives in the state while attending the postsecondary educational  
22 institution; and

23 (C) is eligible for benefits under the federal post-9/11 veterans  
24 educational assistance act of 2008, 38 U.S.C. § 3301 et seq., or any other  
25 federal law authorizing educational benefits for veterans;

26 (2) (A) is a veteran;

27 (B) was ~~permanently~~ stationed in Kansas *for at least 11 months*  
28 during service in the armed forces or had established residency in Kansas  
29 prior to service in the armed forces; and

30 (C) lives in Kansas at the time of enrollment; or

31 (3) (A) is the spouse or dependent of a veteran who was ~~permanently~~  
32 stationed in Kansas *for at least 11 months* during such veteran's service in  
33 the armed forces or had established residency in Kansas prior to service in  
34 the armed forces; and

35 (B) lives in Kansas at the time of enrollment.

36 (c) As used in this section:

1 (1) "Armed forces" means the army, navy, marine corps, air force,  
2 coast guard, Kansas army or air national guard or any branch of the  
3 military reserves of the United States;

4 (2) "postsecondary educational institution" means the same as  
5 provided in K.S.A. 74-3201b, and amendments thereto; *and*

6 ~~(3) "school year 2015-2016" means July 1, 2015 through June 30,~~  
7 ~~2016; and~~

8 ~~(4)~~ "veteran" means a person who has been separated from the armed  
9 forces and was honorably discharged or received a general discharge under  
10 honorable conditions.

11 ~~(d) Any person enrolled in a postsecondary educational institution at~~  
12 ~~any time during school year 2015-2016 who would have been entitled to~~  
13 ~~tuition and fee rates for a Kansas resident pursuant to subsection (b)(2) or~~  
14 ~~(3) had such subsection been in effect, but who paid more than such tuition~~  
15 ~~and fee rates for school year 2015-2016 shall be entitled to reimbursement~~  
16 ~~of the difference between any tuition and fee rates such person paid for~~  
17 ~~school year 2015-2016 and the tuition and fee rate such person would have~~  
18 ~~paid as a Kansas resident if such subsection had been in effect.~~

19 (e) This section shall be a part of and supplemental to chapter 48 of  
20 the Kansas Statutes Annotated, and amendments thereto.

21 Sec. 2. K.S.A. 2022 Supp. 48-3601 is hereby repealed.

22 Sec. 3. This act shall take effect and be in force from and after its  
23 publication in the statute book.