

LEGISLATIVE BILL 109

Approved by the Governor February 26, 2015

Introduced by Crawford, 45.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-502.01, Reissue Revised Statutes of Nebraska; to change residency provisions for veterans and their spouses and dependents and other eligible persons; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 85-502.01, Reissue Revised Statutes of Nebraska, is amended to read:

85-502.01 (1) ~~A person who enrolls in a public college or university in this state and who is a veteran as defined in Title 38 of the United States Code section 80-401.01 and was discharged or released from a period of not fewer than ninety days of service in the active military, naval, or air service less than three years before the date of initial enrollment, a spouse or dependent of such a veteran, has been off active duty for two years or less or an eligible recipient entitled to educational assistance of such a veteran as provided in 38 U.S.C. 3311(b)(9) or 38 U.S.C. 3319, as such sections existed on January 1, 2015, who is a spouse or dependent of such a veteran who enrolls in a public college or university in this state shall be considered a resident student notwithstanding the provisions of section 85-502 if the person is (a) registered to vote in Nebraska and (b) demonstrates objective evidence of intent to be a resident of Nebraska.~~

~~(2) A person who is an eligible individual under 38 U.S.C. 3679(c)(2), as such section existed on January 1, 2015, or who is a spouse or dependent of such a veteran under and who is younger than eighteen years of age is not required to comply with subdivision (1)(a) of this section until he or she attains eighteen years of age.~~

~~(3) This section does not apply to a veteran who qualifies for benefits pursuant to 38 U.S.C. 3317, as such section existed on January 1, 2014. This subsection does not affect the applicability of this section with respect to the spouse or dependent of such a veteran.~~

~~(3 4) For purposes of this section, objective evidence of intent to be a resident of Nebraska includes either a Nebraska driver's license or state identification card or a Nebraska motor vehicle registration.~~

Sec. 2. Original section 85-502.01, Reissue Revised Statutes of Nebraska, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.