

109TH CONGRESS
1ST SESSION

H. R. 197

To amend title 10, United States Code, to require a State to charge in-State tuition rates to active-duty members of the Armed Forces domiciled or stationed on active duty in that State and to the dependents of such members.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. SCOTT of Georgia introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to require a State to charge in-State tuition rates to active-duty members of the Armed Forces domiciled or stationed on active duty in that State and to the dependents of such members.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military In-State Tui-
5 tion Act of 2005”.

1 **SEC. 2. IN-STATE TUITION RATES FOR MEMBERS OF THE**
2 **ARMED FORCES ON ACTIVE DUTY AND DE-**
3 **PENDENTS.**

4 (a) IN GENERAL.—(1) Chapter 49 of title 10, United
5 States Code, is amended by inserting after section 982 the
6 following new section

7 **“§ 982a. In-State tuition rates**

8 “(a) REQUIREMENT.—A member of the armed forces
9 on active duty for a period of more than 30 days whose
10 domicile or permanent duty station is in a State, and the
11 dependents of such a member, may not be charged tuition
12 for attendance at a public institution of higher education
13 in that State at a rate that is greater than the rate
14 charged for residents of that State.

15 “(b) CONTINUATION.—If a member of the armed
16 forces, or a dependent of a member, pays tuition at a pub-
17 lic institution of higher education in a State at a rate de-
18 termined by reason of subsection (a), the provisions of
19 subsection (a) shall continue to apply to such member or
20 dependent while continuously enrolled at that institution,
21 notwithstanding a subsequent change in permanent duty
22 station of the member to a location outside the State.

23 “(c) STATE DEFINED.—In this section, the term
24 ‘State’ has the meaning given that term in section 982
25 of this title.”.

1 (2) The table of sections at the beginning of such
2 chapter is amended by inserting after the item relating
3 to section 982 the following new item:

“982a. In-State tuition rates.”.

4 (b) **EFFECTIVE DATE.**—Section 982a of title 10,
5 United States Code, as added by subsection (a)(1), shall
6 take effect with respect to tuition payments required to
7 be paid for periods beginning on or after August 1, 2006.

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