

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 123

As Amended by House Committee on Education

Brief*

SB 123, as amended, would require a veteran to have been stationed in Kansas for at least 11 months during service in order for the veteran, or the spouse or dependents of the veteran, to be deemed residents of Kansas for the purpose of tuition and fees at postsecondary educational institutions.

The bill would be in effect upon publication in the *Kansas Register*.

Current law provides that for a veteran, or the spouse or dependent of a veteran, to be deemed a resident of Kansas for tuition purposes, a veteran must either:

- Have been permanently stationed in Kansas during service in the armed forces; or
- Had established residency in Kansas prior to service in the armed forces.

The bill would replace the requirement that a veteran must have been permanently stationed in Kansas with a requirement that a veteran must have been stationed in Kansas for at least 11 months during service in the armed forces. The person seeking to be deemed a resident for the purpose of tuition would still be required to live in Kansas at the time of enrollment.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

In addition, the bill would remove language that authorizes tuition reimbursements for certain students who were enrolled in a postsecondary educational institution during the 2015-2016 school year.

Background

The bill was introduced by Senators Pittman and Peck.

Senate Committee on Education

In the Senate Committee hearing on February 15, 2023, **proponent** testimony was provided by Senator Peck, Senator Pittman, and a representative of the Kansas Veterans of Foreign Wars (VFW). The proponents generally stated the bill would incentivize individuals to move to Kansas as it would ease the financial burden placed upon military families who often do not qualify for in-state tuition rates.

Three private citizens and a representative of the Kansas National Education Association (KNEA) provided written-only proponent testimony, generally stating the bill would benefit Kansas and military families.

No other testimony was provided.

House Committee on Education

In the House Committee hearing on March 14, 2023, Senator Peck, Senator Pittman, and representatives of the KNEA and VFW provided **proponent** testimony. The KNEA representative indicated enactment of the bill could result in increased enrollment by creating student opportunities that may have previously been considered unaffordable.

No other testimony was provided.

The House Committee amended the bill to change its effective date to be upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Board of Regents indicated the bill could have a fiscal effect on post-secondary educational institutions, but the amount would vary by institution depending on the number of students impacted. The State Board of Regents is unable to estimate a fiscal effect because the number of students who would qualify for resident tuition and the number of students who would choose to stay in Kansas cannot be determined.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Postsecondary education; residency determination; tuition and fees; veterans