AN ACT concerning military members and veterans; relating to
postsecondary educational institutions; tuition and fees; amending
K.S.A. 2014 Supp. 76-729 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:
New Section 1. (a) (1) An active duty member of the armed forces of
the United States or the member's spouse or dependent child who is
enrolled or has been accepted for admission at a postsecondary educational
institution as a postsecondary student shall be deemed to be a resident of
the state for the purpose of tuition and fees for attendance at such
postsecondary educational institution.
(2) A person is entitled to pay tuition and fees at an institution of
higher education at the rates provided for Kansas residents without regard
to the length of time the person has resided in the state if the person files a
letter of intent to establish residence in the state with the postsecondary
educational institution at which the person intends to register, resides in
the state while enrolled in the postsecondary educational institution and
the person is eligible for benefits under the federal post-9/11 veterans
educational assistance act of 2008, 38 U.S.C. § 3301 et seq., or any other
federal law authorizing educational benefits for veterans.
(b) As used in this section:
(1) "Armed forces" means the army, navy, marine corps, air force,
coast guard, Kansas army or air national guard or any branch of the
military reserves of the United States;
(2) "Postsecondary educational institution" means the same as
provided in K.S.A. 74-3201b, and amendments thereto; and
(3) "Veteran" means a person who has been separated from the armed
forces and was honorably discharged or received a general discharge under
honorable conditions.
Sec. 2. K.S.A. 2014 Supp. 76-729 is hereby amended to read as
follows: 76-729. (a) (1) Persons enrolling at the state educational
institutions under the control and supervision of the state board of regents
who, if such persons are adults, have been domiciliary residents of the
state of Kansas or, if such persons are minors, whose parents have been
domiciliary residents of the state of Kansas for at least 12 months prior to
enrollment for any term or session at a state educational institution are
residents for fee purposes. A person who has been a resident of the state of
Kansas for fee purposes and who leaves the state of Kansas to become a
resident of another state or country shall retain status as a resident of the
state of Kansas for fee purposes if the person returns to domiciliary
residency in the state of Kansas within 60 months of departure. All other
persons are nonresidents of the state of Kansas for fee purposes.

(2) The provisions of this subsection shall be applicable to any person
enrolling at a state educational institution from and after July 1, 2006. Any
person who (A) qualifies as a resident of the state of Kansas for fee
purposes under the provisions of this subsection, (B) attended a state
educational institution during academic year 2006-2007 and (C) paid fees
as if such person was not a resident of the state of Kansas, may apply to
such state educational institution to be reimbursed in an amount equal to
the difference between the amount the person paid in fees and the amount
the person would have paid if such person had been treated as a resident of
the state of Kansas. Such reimbursement shall be paid by the state
educational institution at which such person was enrolled during academic

(3) The provisions of this subsection shall not apply to a person who
is deemed a resident for fee purposes pursuant to K.S.A. 2014 Supp. 76-
731a, and amendments thereto.

(b) The state board of regents may authorize the following persons, or
any class or classes thereof, and their spouses and dependents to pay an
amount equal to resident fees:

(1) Persons who are employees of a state educational institution;
(2) persons who are in military service;
(3) persons who are domiciliary residents of the state, who were in
active military service prior to becoming domiciliary residents of the state,
who were present in the state for a period of not less than two years during
their tenure in active military service, whose domiciliary residence was
established in the state within 30 days of discharge or retirement from
active military service under honorable conditions, but whose domiciliary
residence was not timely enough established to meet the residence-
duration requirement of subsection (a);
(4) persons having special domestic relations circumstances;
(5) persons who have lost their resident status within six months of
enrollment;
(6) persons who are not domiciliary residents of the state, who
have graduated from a high school accredited by the state board of
education within six months of enrollment, who were domiciliary residents
of the state at the time of graduation from high school or within 12 months
prior to graduation from high school, and who are entitled to admission at
a state educational institution pursuant to K.S.A. 72-116, and amendments
persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of subsection (a), and who are not otherwise eligible for authorization to pay an amount equal to resident fees under this subsection;

(8) persons who have graduated from a high school accredited by the state board of education within six months of enrollment and who, at the time of graduation from such a high school or while enrolled and in attendance at such a high school prior to graduation therefrom, were dependents of a person in military service within the state; if the person, whose dependent is eligible for authorization to pay an amount equal to resident fees under this provision, does not establish domiciliary residence in the state upon retirement from military service, eligibility of the dependent for authorization to pay an amount equal to resident fees shall lapse; and

(9) persons who have retired or have been honorably discharged from military service, had a permanent change of station order for active duty in Kansas during such military service and live in Kansas at the time of enrollment.

(c) (1) The state board of regents shall authorize the following class of persons to pay an amount equal to resident fees: Any dependent or spouse of a person in military service who is reassigned from Kansas to another duty station so long as such dependent or spouse continues to reside in Kansas.

(2) So long as a person remains continuously enrolled, exclusive of summer sessions, a person who qualifies to pay resident fees by virtue of being a spouse or dependent of a person in military service shall not lose such status because of a divorce or the death of a spouse Pursuant to section 1, and amendments thereto, a veteran, an active duty member of the armed forces and the spouse and dependent child of such veteran or active duty member of the armed forces shall be deemed a resident of the state for fee purposes.

(d) As used in this section:

(1) "Parents" means and includes natural parents, adoptive parents, stepparents, guardians and custodians.

(2) "Guardian" has the meaning ascribed thereto by K.S.A. 59-3051, and amendments thereto.

(3) "Custodian" means a person, agency or association granted legal custody of a minor under the revised Kansas code for care of children.
(4) "Domiciliary resident" means a person who has present and fixed residence in Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.

(5) "Full-time employment" means employment requiring at least 1,500 hours of work per year.

(6) "Dependent" means: (A) A birth child, adopted child or stepchild; or
    (B) any child other than the foregoing who is actually dependent in whole or in part on the person in military service and who is related to such individual by marriage or consanguinity.

(7) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.

(8) "Academic year" means the twelve-month period ending June 30.

Sec. 3. K.S.A. 2014 Supp. 76-729 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.