

PROPOSED AMENDMENT TO ASSEMBLY BILL 532

BDR No. 34-524

Recommended by the Nevada System of Higher Education

SUMMARY – Revises provisions relating to fee waivers granted by the Board of Regents of the University of Nevada.

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill proposed to be retained in this amendment

SUGGESTED REVISIONS

Section 1. Chapter 396 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in this section, the Board of Regents shall grant a waiver of the payment of registration fees, laboratory fees and any other mandatory fees assessed each semester against a student who attends a school within the System as a full-time or part-time undergraduate or graduate **degree- or certificate-seeking student and meets the criteria for a waiver established pursuant to NRS 396.544, 396.5442, 396.5443, 396.5445, 396.5448 or 396.5449. A waiver must not be granted for a student in a ~~trade or vocational program or a~~ doctoral or professional program.***

2. *The amount of a waiver granted pursuant to subsection 1 must be equal to the balance of all registration fees, laboratory fees and any other mandatory fees assessed against a student for a semester after the application of all **state** scholarships, grants and other financial assistance, with the exception of loans, including, without limitation, ~~federal student aid, federal educational benefits~~ **Governor Guinn Millennium Scholarships, Silver State Opportunity Grants, Nevada Promise Scholarships, and other assistance provided by NSHE institutions from the State supported operating budgets,** to which the student is entitled for that semester.*

3. *For the purpose of assessing fees and charges against a student to whom a waiver is granted pursuant to this section, including, without limitation, tuition charges assessed pursuant to NRS 396.540, such a student shall be deemed a bona fide resident of this State.*

4. *To be eligible for a waiver under this section, a student must:*

(a) *For every year for which the student seeks a waiver and is eligible to receive federal student aid pursuant to 20 U.S.C. § 1091, complete the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090; and*

(b) *[Maintain at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.] **Meet “satisfactory academic progress”, as defined in Title IV of the Higher Education Act of 1965, 20 U.S.C. Section(s) 1001 et seq.***

5. *The Board of Regents shall:*

(a) *Establish policies and procedures prescribing the manner by which a student may apply for a waiver under this section.*

(b) *Publish, on the Internet website maintained by each institution in the System, a list of information on the undergraduate and graduate programs and courses at the institution that will be covered by the waiver granted pursuant to this section.*

(c) *Ensure that any waiver of registration fees, laboratory fees and any other mandatory fees established by the Board of Regents for which the qualifications, terms and conditions are not established by law is administered in a manner that is consistent with the provisions of this section, such that the administration of fee waivers by the Board of Regents is as uniform as possible.*

6. *The Board of Regents may:*

(a) *Determine whether grants are available to assist the System in defraying the costs of granting waivers pursuant to this section and apply for and accept any such grants.*

(b) *Accept gifts, grants, bequests and donations to fund the waivers granted under this section.*

(c) *Seek assistance from any state agency, board, department, division, commission or officer to verify the eligibility of a student to receive a waiver.*

(d) *Request documentation from a student to confirm his or her eligibility for a waiver.*

(e) *Establish policies and procedures necessary to carry out the provisions of this section.*

7. *As used in this section ~~[]~~:*

(a) *“other mandatory fees” includes, without limitation, differential program fees, special course fees, student fees and technology fees.*

(b) *“professional program” includes programs of study at the William S. Boyd School of Law, University of Nevada, Reno School of Medicine, University of Nevada, Las Vegas School of Medicine, and the University of Nevada, Las Vegas School of Dental Medicine, without limitation.*

Sec. 2. NRS 396.544 is hereby amended to read as follows:

396.544 1. The Board of Regents of the University of Nevada ~~[may]~~ *shall* grant a waiver ~~[of registration fees and laboratory fees for]~~ *pursuant to section 1 of this act to* any member of the active Nevada National Guard, including, without limitation, a recruit ~~. [, who attends a school within the System as a full-time or part-time student.]~~

2. A member of the active Nevada National Guard who has reenlisted may, in lieu of using the waiver himself or herself and regardless of whether the member was granted a waiver ~~[pursuant to this section]~~ before reenlistment:

(a) Assign such a waiver to his or her spouse or child ~~. [for credits applicable toward the course work required for the award to the spouse or child of an associate's degree, baccalaureate degree or certificate at any school within the System.]~~

(b) Reassign such a waiver to his or her spouse or child, as applicable, if the person to whom the waiver was assigned pursuant to paragraph (a) does not use the waiver ~~. [to attend a school within the System as a full-time or part-time student.]~~

➔ For each period of reenlistment of a member, the benefit provided pursuant to this subsection may only be used by one eligible person.

3. ~~[For the purpose of assessing fees and charges against a person to whom a waiver is granted, assigned or reassigned pursuant to subsection 1 or 2, including, without limitation, tuition charges pursuant to NRS 396.540, such a person shall be deemed to be a bona fide resident of this State.]~~

~~4.]~~ A person must be a member in good standing of the active Nevada National Guard, including, without limitation, a recruit, at the beginning of and throughout the entire semester for which the waiver is granted.

~~5. A person to whom a waiver is granted, assigned or reassigned pursuant to subsection 1 or 2 must maintain at least a 2.0 grade point average, on a 4.0 grading scale, each semester for which the waiver is granted, assigned or reassigned, or the equivalent of a 2.0 grade point average if a different grading scale is used.~~

~~6. The Board of Regents may request the Adjutant General to verify the membership in the active Nevada National Guard of a person who is seeking or has been granted a waiver of registration fees and laboratory fees pursuant to subsection 1.~~

~~7.]~~ 4. The Adjutant General shall:

(a) Upon receiving a request from the Board of Regents pursuant to *paragraph (c) of subsection 6 [.] of section 1 of this act*, notify the Board of Regents in writing concerning the status and dates of membership of a person who is seeking or has been granted

a waiver ~~[of registration fees and laboratory fees]~~ pursuant to ~~[subsection 1.]~~ *section 1 of this act*.

(b) Maintain a record of any waiver that has been ~~[granted,]~~ assigned or reassigned pursuant to subsection ~~[1 or]~~ 2 and the person to whom the waiver was assigned or reassigned.

~~[(c) Before the beginning of each semester, certify in writing to the Board of Regents that a waiver has been properly assigned or reassigned to the person seeking to use the waiver to attend a school within the System.~~

~~8.]~~ 5. If a waiver is granted pursuant to ~~[subsection 1 for]~~ *section 1 of this act to* a recruit *made eligible for such a waiver by this section* and the recruit does not enter full-time National Guard duty within 1 year after enlisting, the recruit shall reimburse the Board of Regents for all ~~[registration fees and laboratory]~~ fees waived on behalf of the recruit if the recruit's failure to enter full-time National Guard duty is attributable to his or her own conduct.

~~19.]~~ 6. As used in this section:

(a) "Full-time National Guard duty" has the meaning ascribed to it in 32 U.S.C. § 101(19).

(b) "Recruit" means a person who has enlisted in the Nevada National Guard but has not begun his or her required military duty.

(c) "Spouse" includes a domestic partner as set forth in NRS 122A.200.

Sec. 3. NRS 396.5442 is hereby amended to read as follows:

396.5442 1. The Board of Regents ~~[may]~~ *shall* grant a waiver ~~[of registration fees and laboratory fees for]~~ *pursuant to section 1 of this act to* a child, widow or widower of a person who was killed while performing his or her duties as a member of the Nevada National Guard. ~~[For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.]~~

2. ~~[A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.]~~

~~3.]~~ A child *eligible under this section for a waiver pursuant to section 1 of this act* may use ~~[a]~~ *the* waiver granted pursuant to ~~[this]~~ *that* section for 10 years after the child attains the age of 18 years or, if the child enrolls in the System before the age of 18 years, for 10 years after the date of such enrollment. A widow or widower *eligible under this section for a waiver pursuant to section 1 of this act* may use ~~[a]~~ *the* waiver granted pursuant to

~~[this]~~ *that* section for 10 years after the date of the death of the member.

4. The Board of Regents may request the Adjutant General to verify that a person is the child, widow or widower of a person who was killed while performing his or her duties as a member of the Nevada National Guard. The Adjutant General shall, upon receiving such a request, notify the Board of Regents in writing concerning the status of that person.

Sec. 4. NRS 396.5443 is hereby amended to read as follows:

396.5443 1. The Board of Regents shall grant a waiver ~~of~~ *pursuant to section 1 of this act to* a student who is:

(a) A veteran of the Armed Forces of the United States who has been awarded the Purple Heart; or

(b) The child of such a veteran, if:

(1) The veteran is a bona fide resident of this State, or was a bona fide resident of this State at the time of his or her death; and

(2) The child of the veteran graduated from a high school located in this State.

2. ~~The amount of the waiver must be equal to:~~

~~(a) If the student is entitled to receive any federal educational benefits for a semester, the balance of registration fees, laboratory fees and any other mandatory fees assessed against the student that remain unpaid after the student's account has been credited with the full amount of the federal educational benefits to which the student is entitled for that semester; or~~

~~(b) If the student is not entitled to receive any federal educational benefits for a semester, the full amount of the registration fees, laboratory fees and any other mandatory fees assessed against the student for that semester.~~

~~3. The waiver must be granted to a student who enrolls in any program offered by a school within the System, including, without limitation, a trade or vocational program, a graduate program or a professional program.~~

~~4. For the purpose of assessing fees and charges against a student to whom a waiver is granted pursuant to this section, including, without limitation, tuition charges pursuant to NRS 396.540, such a student shall be deemed to be a bona fide resident of this State.~~

~~5.] The Board of Regents may grant more favorable waivers of registration fees, laboratory fees and any other mandatory fees for veterans of the Armed Forces of the United States who have been awarded the Purple Heart or the child of such a veteran than the waiver provided pursuant to [this] section 1 of this act if required for the receipt of federal money.~~

~~[6.]~~ *3.* A child of a veteran of the Armed Forces of the United States who has been awarded the Purple Heart may use a waiver ~~[granted pursuant to]~~ *described in* this section for 10 years after the child attains 18 years of age, or, if the child enrolls in the System before attaining 18 years of age, for 10 years after the date of such enrollment.

Sec. 5. NRS 396.5445 is hereby amended to read as follows:

396.5445 1. The Board of Regents ~~[may]~~ *shall* grant a waiver ~~[of registration fees and laboratory fees for]~~ *pursuant to section 1 of this act to* a spouse or child of a person who is identified as a prisoner of war or missing in action while performing his or her duties as a member of the Armed Forces of the United States. ~~[For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be~~

~~a bona fide resident of this State.~~

~~2. [A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.~~

~~3.]~~ A spouse *eligible under this section for a waiver pursuant to section 1 of this act* may use ~~that~~ the waiver granted pursuant to ~~this~~ that section for 10 years after the date on which the member of the Armed Forces was identified as a prisoner of war or missing in action. A child *eligible under this section for a waiver pursuant to section 1 of this act* may use ~~that~~ the waiver granted pursuant to ~~this~~ that section for 10 years after the child attains the age of 18 years or, if the child enrolls in the System before the age of 18 years, for 10 years after the date of such enrollment.

~~4. The Board of Regents may request such documentation as it deems necessary to verify that a person is the spouse or child of a member of the Armed Forces of the United States who is identified as a prisoner of war or missing in action while performing his or her duties as a member of the Armed Forces.]~~

Sec. 6. NRS 396.5448 is hereby amended to read as follows:

396.5448 1. The Board of Regents ~~may~~ *shall* grant a waiver ~~of registration fees and laboratory fees for~~ *pursuant to section 1 of this act to* a person who is identified as a homeless or unaccompanied pupil . ~~For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.]~~

~~2. [A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.~~

~~3.]~~ A person ~~may use~~ *eligible under this section for* a waiver ~~granted~~ pursuant to ~~subsection~~ *section 1 of this act may use the waiver granted pursuant to that section* for 10 years after the person attains the age of 18 years or, if the person enrolls in the System before the age of 18 years, for 10 years after the date of such enrollment.

~~4. The Board of Regents may request documentation from a person requesting a waiver pursuant to subsection 1 as it deems necessary to verify that such a person was a homeless or unaccompanied pupil.~~

~~5.]~~ 3. As used in this section:

(a) "Homeless pupil" has the meaning ascribed to the term "homeless children and youths" in 42 U.S.C. § 11434a(2).

(b) "Unaccompanied pupil" has the meaning ascribed to the term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

Sec. 7. NRS 396.5449 is hereby amended to read as follows:

396.5449 1. The Board of Regents shall grant a waiver ~~of the payment of registration fees, laboratory fees and any other mandatory fees assessed each semester against~~ *pursuant to section 1 of this act to* a ~~student~~ *person* who:

(a) Is a member of a federally recognized Indian tribe or nation or certified by the enrollment department of such a tribe or nation or by the Bureau of Indian Affairs as being a descendant of an enrolled member of a tribe or nation, regardless of membership status;

(b) Is eligible for enrollment in a school within the System ~~including, without limitation, enrollment in a dual credit course through a program for dual credit;~~ *as a full-time or part-time undergraduate or graduate student; and*

(c) Is:

(1) A bona fide resident of this State, as defined in NRS 396.540;

(2) A member or descendant of an enrolled member of an Indian tribe or nation, all or part of which is located within the boundaries of this State; or

(3) Currently a resident on qualified tribal land, whether his or her actual residence was located within or outside of the boundaries of this State, and has been such a resident for not less than 1 year. ~~†~~

~~(d) Has maintained at least a 2.0 grade point average, on a 4.0 scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used; and~~

~~(e) Has completed the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 unless the student is or will be~~

~~enrolled exclusively in one or more dual credit courses through a program for dual credit.~~

~~2. The amount of the waiver must be equal to the full amount of the registration fees, laboratory fees and any other mandatory fees assessed against the student for that semester.~~

~~3. The waiver must be granted to a student who enrolls in any course or program, whether for a degree or not, offered by a school within the System, including, without limitation, a trade or vocational program, a graduate program, a professional program or a dual credit course through a program for dual credit, offered during any academic period, including courses offered during the summer and between terms or semesters.~~

~~4. For the purpose of assessing fees and charges against a person to whom such a waiver is granted, the person shall be deemed to be a bona fide resident of this State.~~

~~5. The Board of Regents may request documentation confirming that the student is a member or descendant of a member of a federally recognized Indian tribe or nation.~~

~~6. As used in this section †:~~

~~(a) "Program for dual credit" means a program through which a pupil enrolled in high school, including, without limitation, a pupil enrolled in grade 9, 10, 11 or 12 in a charter school or a pupil enrolled in a program designed to meet the requirements of an adult standard diploma, may enroll in a dual credit course offered by a school within the System.~~

~~(b) "Qualified", "qualified tribal land" means any real property:~~

~~(1) (a) For which legal title is vested in, or held in trust for the benefit of, an Indian tribe or an individual Native American, and which is subject to restrictions against alienation pursuant to federal law; and~~

~~(2) (b) Over which a federally recognized Indian tribe or nation, all or part of which is located within the boundaries of this State, exercises governmental power.~~

Sec. 8. NRS 396.54495 is hereby amended to read as follows:

396.54495 The Board of Regents shall, on or before September 1 of each calendar year, prepare and submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Nevada Legislature that includes, without limitation, aggregated data for:

1. The number of students that qualify for a waiver of ~~registration fees, laboratory fees and any other mandatory~~ fees *under section 1 of this act* pursuant to NRS 396.5449.

2. The total funding made available for the waiver of registration fees, laboratory fees and any other mandatory fees *for students who qualify for such a waiver* pursuant to NRS 396.5449, including, without limitation, gifts, grants, donations and federal

contributions.

Sec. 9. 1. If, during the period beginning on July 1, 2024, and ending on July 1, 2025, the Board of Regents of the University of Nevada granted a waiver of fees pursuant to NRS 396.544, 396.5442, 396.5443, 396.5445, 396.5448 or 396.5449 to a student who, as of July 1, 2025, is enrolled in a program or course of study for which the waiver was applied, the Board of Regents shall grant a waiver of the payment of those registration fees, laboratory fees and any other mandatory fees that:

(a) Are assessed each semester against the student for that program or course of study if the program or course of study is not covered by a waiver provided pursuant to section 1 of this act; and

(b) Would otherwise be waived by the Board of Regents pursuant to NRS 396.544, 396.5442, 396.5443, 396.5445, 396.5448 or 396.5449, as those sections existed on July 1, 2024.

2. The waiver provided pursuant to this section must be administered in the same manner and with the same conditions as the waiver that the student had previously been granted under NRS 396.544, 396.5442, 396.5443, 396.5445, 396.5448 or 396.5449, as those sections existed on July 1, 2024, as applicable, provided the student remains continuously enrolled at the waiver-granting institution.

3. A person may use a waiver granted pursuant to this section until July 1, 2029.

4. The Board of Regents may establish policies and procedures to carry out the provisions of this section.

Sec. 10. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 11. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 10, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2025, for all other purposes.