

**SENATE BILL NO. 2198**

Introduced by

Senators Taylor, Brown, Lyson

Representatives Amerman, DeKrey, Nelson

1 A BILL for an Act to amend and reenact sections 37-07.1-02, 37-07.1-03, 37-07.1-05,  
2 37-07.1-06.2, 37-07.2-01, and 37-07.2-03 of the North Dakota Century Code, relating to tuition  
3 waivers and grants for national guard members.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 37-07.1-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **37-07.1-02. Definitions.** As used in this chapter, unless the context or subject matter  
8 otherwise requires:

9 1. "Qualifying student" means:

10 a. A member of the national guard who maintains satisfactory performance with  
11 the national guard; or

12 b. An honorably discharged national guard member who was called or ordered  
13 to active federal service pursuant to title 10 of the United States Code during  
14 that person's last term of enlistment for a period of time equal to the term of  
15 the federal service commencing on the date of discharge from the national  
16 guard. This subsection does not apply to federal service while attending  
17 annual training, basic military training, professional military education, or  
18 active guard and reserve tours.

19 2. "School" means any university, college, career and technical education school,  
20 technical school, or postsecondary educational institution.

21 ~~2.~~ 3. "State-controlled school" means any school which is controlled, financially  
22 supported, and operated by the state, a school district, or any other political  
23 subdivision.



1           **SECTION 5. AMENDMENT.** Section 37-07.2-01 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3           **37-07.2-01. National guard tuition grants - Terms of grants.** Any qualifying ~~member~~  
4 ~~of the national guard~~ student who enrolls in any private nonprofit college or university in North  
5 Dakota granting a four-year baccalaureate degree may, subject to the limitations of available  
6 appropriated funds and subject to ~~national guard~~ rules promulgated by the adjutant general,  
7 receive a grant in an amount equal to the payments made pursuant to chapter 37-07.1 for  
8 similar courses and credit hours for each qualifying member of the national guard who is  
9 enrolled at the university of North Dakota. Any private nonprofit college or university that  
10 agrees to participate in such a program must waive tuition for qualifying ~~national guardsmen~~  
11 students in an amount equal to the difference between the tuition grant received by the ~~national~~  
12 ~~guard member~~ qualifying student and the tuition charged for similar courses and credit hours at  
13 the university of North Dakota. The use of the grant may not be restricted to the payment of  
14 tuition fees by the ~~member of the national guard~~ qualifying student. These grants must be  
15 distributed according to rules promulgated by the adjutant general and are available only so  
16 long as the ~~member maintains satisfactory performance with the guard,~~ qualifying student  
17 meets the qualification requirements of the rules, and pursues a course of study which satisfies  
18 the normal requirements of the school. As used in this chapter the ~~word~~ words "tuition" ~~has~~  
19 and "qualifying student" have the same meaning as provided in section 37-07.1-02.

20           **SECTION 6. AMENDMENT.** Section 37-07.2-03 of the North Dakota Century Code is  
21 amended and reenacted as follows:

22           **37-07.2-03. Application for grant.** It is the responsibility of the individual ~~member of~~  
23 ~~the national guard~~ qualifying student to request the grant on an application provided by the  
24 adjutant general at the time of enrollment for each semester or academic term for which a grant  
25 is requested. The grants provided for in this chapter must be paid from such funds as may be  
26 appropriated for tuition payment purposes in accordance with chapter 37-07.1.