

MAR 15 2005
EDUCATION

HOUSE FILE 779
BY ZIRKELBACH and REICHERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a policy to qualify certain members of the
2 Iowa national guard and persons who own land and pay property
3 tax in this state for resident tuition rates at institutions
4 of higher education in this state.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF-779

1 Section 1. Section 260C.14, Code 2005, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 21. Adopt a policy to charge an
4 individual who qualifies for admission to the community
5 college, but who does not qualify as a resident for tuition
6 purposes, the resident tuition rate and any applicable
7 mandatory fees for enrollments if the individual signs a
8 letter of intent to reside in Iowa after graduating from the
9 community college for a period of not less than one year and
10 meets any of the following conditions:

11 a. Is a member in good standing of the Iowa national
12 guard.

13 b. The person's net income earned in Iowa is over two
14 thousand five hundred dollars, or five thousand dollars if
15 married and filing jointly, in the current tax year and the
16 person may file an Iowa income tax form for the current year,
17 and the person owns property located in the state of Iowa and
18 pays taxes levied on the property.

19 Sec. 2. Section 261.9, subsection 1, unnumbered paragraph
20 1, Code 2005, is amended to read as follows:

21 "Accredited private institution" means an institution of
22 higher learning located in Iowa which is operated privately
23 and not controlled or administered by any state agency or any
24 subdivision of the state and which meets the criteria in
25 paragraphs "a" and "b" and all of the criteria in paragraphs
26 "d" through "g" "h", except that institutions defined in
27 paragraph "c" of this subsection are exempt from the
28 requirements of paragraphs "a" and "b":

29 Sec. 3. Section 261.9, subsection 1, Code 2005, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. h. Adopts a policy to charge an individual
32 who qualifies for admission to the accredited private
33 institution, but who does not qualify as a resident for
34 tuition purposes, the resident tuition rate and any applicable
35 mandatory fees for enrollments if the individual signs a

1 letter of intent to reside in Iowa after graduating from the
2 community college for a period of not less than one year and
3 meets any of the following conditions:

4 (1) Is a member in good standing of the Iowa national
5 guard.

6 (2) The person's net income earned in Iowa is over two
7 thousand five hundred dollars, or five thousand dollars if
8 married and filing jointly, in the current tax year and the
9 person may file an Iowa income tax form for the current year,
10 and the person owns property located in the state of Iowa and
11 pays taxes levied on the property.

12 Sec. 4. Section 262.9, Code 2005, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 31. Adopt a policy to charge an
15 individual who qualifies for admission to an institution of
16 higher education under the control of the board, but who does
17 not qualify as a resident for tuition purposes, the resident
18 tuition rate and any applicable mandatory fees for enrollments
19 if the individual signs a letter of intent to reside in Iowa
20 after graduating from the institution for a period of not less
21 than one year and meets any of the following conditions:

22 a. Is a member in good standing of the Iowa national
23 guard.

24 b. The person's net income earned in Iowa is over two
25 thousand five hundred dollars, or five thousand dollars if
26 married and filing jointly, in the current tax year and the
27 person may file an Iowa income tax form for the current year,
28 and the person owns property located in the state of Iowa and
29 pays taxes levied on the property.

30 EXPLANATION

31 This bill directs the board of directors of a community
32 college, accredited private institution, and the state board
33 of regents to adopt policies to charge an individual who
34 qualifies for admission at the community college, accredited
35 private institution, or regents university, but who does not

1 qualify as a resident for tuition purposes, the resident
2 tuition rate and any applicable mandatory fees for enrollments
3 while the individual is a member in good standing of the Iowa
4 national guard; or earned a net income in Iowa of more than
5 \$2,500, or \$5,000 if married and filing jointly, in the
6 current tax year and may file an Iowa income tax form for the
7 current year, and owns property located in the state of Iowa
8 and pays taxes levied on the property; and signs a letter of
9 intent to reside in Iowa after graduating from the institution
10 for a period of not less than one year.

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