

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1201

5 By: Representatives George, Roebuck, Wood, D. Creekmore  
6 By: Senators Wilkinson, J. Bookout, Trusty, T. Smith  
7

## For An Act To Be Entitled

10 AN ACT TO ASSIST STUDENTS AT STATE-SUPPORTED  
11 POSTSECONDARY EDUCATIONAL INSTITUTIONS WHO ARE  
12 CALLED INTO MILITARY SERVICE; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15 TO ASSIST STUDENTS AT STATE-SUPPORTED  
16 POSTSECONDARY EDUCATIONAL INSTITUTIONS  
17 WHO ARE CALLED INTO MILITARY SERVICE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-61-112 is amended to read as follows:  
24 6-61-112. Students called into military service.

25 ~~(a) When any person is activated for full-time military service during~~  
26 ~~a time of national crisis and therefore is required to cease attending a~~  
27 ~~state-supported postsecondary educational institution without completing and~~  
28 ~~receiving a grade in one (1) or more courses, the following assistance shall~~  
29 ~~be required with regard to courses not completed:~~

30 ~~(1) Such student shall receive a complete refund of tuition and~~  
31 ~~such general fees as are assessed against all students at the institution.~~

32 ~~(A) Proportionate refunds of room, board, and other fees~~  
33 ~~which were paid to the institution shall be provided to the student, based on~~  
34 ~~the date of withdrawal.~~

35 ~~(B) If an institution contracts for services covered by~~  
36 ~~fees which have been paid by and refunded to the student, the contractor~~



1 ~~shall provide a like refund to the institution.~~

2 ~~(2) If the institution has a policy of repurchasing textbooks,~~  
 3 ~~students shall be offered the maximum price, based on condition, for the~~  
 4 ~~textbooks associated with such courses.~~

5 ~~(b) When a student is required to cease attendance because of such~~  
 6 ~~military activation without completing and receiving a grade in one (1) or~~  
 7 ~~more courses, the institution shall provide a reasonable opportunity for~~  
 8 ~~completion of the courses after deactivation.~~

9 ~~(c) A student activated during the course of a semester shall be~~  
 10 ~~entitled, within a period of two (2) years following deactivation, to free~~  
 11 ~~tuition for one (1) semester at the institution where attendance had been~~  
 12 ~~interrupted unless federal aid is made available for the same purpose.~~

13 (a) A student who ceases attendance at a state-supported postsecondary  
 14 educational institution without completing and receiving a grade in one (1)  
 15 or more courses due to military activation or deployment shall receive  
 16 compensation for the resulting monetary loss as provided under this section.

17 (b) The student shall receive the following compensatory options  
 18 regarding tuition:

19 (1) A complete refund of tuition and general fees that are  
 20 assessed against all students at the institution;

21 (2) At least one (1) year to complete the course work after the  
 22 student's deactivation; or

23 (3)(A) Free tuition for one (1) semester at the institution  
 24 where the student's attendance was interrupted, unless federal aid is made  
 25 available to compensate the student for the resulting monetary loss related  
 26 to the student's activation or deployment.

27 (B) Federal aid shall not include Pell Grants, other  
 28 federal grants, or other monetary benefits paid to the student directly or at  
 29 the student's direction.

30 (c)(1) The student shall receive a proportionate refund of room, board,  
 31 and other fees that were paid to the institution, based on the date of the  
 32 student's notice of withdrawal from the institution.

33 (2) If an institution contracts for room, board, or other  
 34 services from a third party, then the third-party contractor shall provide a  
 35 refund to the institution for the services or fees in an amount equal to the  
 36 student's monetary loss under subsection (c)(1);

1           (d) The student shall receive the maximum price, based on condition,  
 2 for the textbooks related to the uncompleted courses, if the institution has  
 3 a policy of repurchasing textbooks.

4           (e)(1) A student's eligibility for a state-supported scholarship,  
 5 grant, or loan for attendance at a postsecondary educational institution  
 6 shall not be affected by the student's failure to complete any course work  
 7 because of military activation or deployment.

8           (2) The Department of Higher Education shall adopt the necessary  
 9 rules to ensure that state-supported scholarship, grant, and loan programs  
 10 comply with the provisions of this section.

11           (f)(1) For each fiscal year, each state-supported institution of  
 12 higher education in the state shall report the type and amount of  
 13 compensatory options provided under this section to the Department of Higher  
 14 Education.

15           (2) The Department of Higher Education shall report to the House  
 16 Interim Committee on Aging, Children and Youth, Legislative and Military  
 17 Affairs, and the Senate Interim Committee on Children and Youth regarding the  
 18 type and amount of compensatory options provided under this section by each  
 19 state-supported institution of higher education no later than October 1 of  
 20 each year beginning in 2006 and each year thereafter.

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 22           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 23 General Assembly of the State of Arkansas that since September 11, 2001,  
 24 members of the National Guard and Reserves are being called into active duty  
 25 more frequently for homeland security duties, for duties related to the fight  
 26 against terrorism, and for peacekeeping efforts in Iraq; that one of the main  
 27 recruiting tools used to attract young men and women into military service in  
 28 the National Guard and Reserves is the offer of financial aid for college  
 29 tuition and expenses; that students who are members of the National Guard or  
 30 Reserves are often activated or deployed, which interrupts their educational  
 31 pursuits and causes them monetary losses; that this act is immediately  
 32 necessary to prevent the soldiers who serve our country from incurring  
 33 monetary losses because of their service. Therefore, an emergency is  
 34 declared to exist and this act being immediately necessary for the  
 35 preservation of the public peace, health, and safety shall become effective  
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(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.