



# HOUSE BILL 668: Various Higher Education Changes.

2019-2020 General Assembly

<b>Committee:</b>	Senate Education/Higher Education.	<b>If Date:</b>	June 26, 2019
	favorable, re-refer to Rules and Operations of the Senate		
<b>Introduced by:</b>	Rep. Fraley	<b>Prepared by:</b>	Kara McCraw and Drupti Chauhan, Committee Counsel
<b>Analysis of:</b>	Third Edition		

**OVERVIEW:** *The 3rd edition of HB 668 would make the following changes:*

- *Authorize community colleges to use adequate insurance coverage in place of bonds for employees handling institutional funds and property.*
- *Rename the University Of North Carolina Center For Public Television as The University Of North Carolina Center For Public Media.*
- *Authorize the Board of Governors to establish policies that allow certain lease purchase agreements.*
- *Allow evidence of North Carolina high school graduation for students to rebut the presumption that the student's residence is the parent's residence for establishing residency for in state tuition purposes for North Carolina community colleges and universities.*

## PART I: NORTH CAROLINA COMMUNITY COLLEGES SYSTEM

**CURRENT LAW:** G.S. 115D-58.10 requires the State Board of Community Colleges to determine which State and community college employees must give bonds for the protection of State funds and property, and authorizes the State Board to place the bonds and pay the premiums from State funds. The statute also requires boards of trustees of community colleges to bond all employees permitted to draw on local funds or handle institutional funds or property.

**BILL ANALYSIS:** HB 668 would allow the State Board of Education and local boards of trustees to determine and use adequate insurance coverage in place of bonds for employees handling institutional funds and property. This section would be repealed if identical language in the budget is enacted.

## PART II: UNIVERSITY OF NORTH CAROLINA

**CURRENT LAW:** G.S. 116-37.1 creates the University of North Carolina Center for Public Television to provide research, development, and production of noncommercial educational television programming. G.S. 116-41.2 enumerates various powers of the Board fo Governors of The University of North Carolina.

**BILL ANALYSIS:** HB 668 would change the name of the Center for Public Television to the Center for Public Media, and broaden its mission to include noncommercial education media program. HB 668 would also add the authority for the Board of Governors to establish polices to purchase or finance the purchase of computers, computer hardware, computer software, and emergency management equipment such as power generators through lease purchase or installment purchase contracts. Those contracts would be subject to State appropriations and would not pledge the taxing power of the State. No deficiency

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judgment could be rendered against the Board of Governors or the State for breach of a contractual obligation pursuant to those contracts.

## **PART III: HIGHER EDUCATION CHANGES**

**CURRENT LAW:** To qualify as a resident for tuition purposes, an individual must establish legal residence (defined as domicile) in the State for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. The statute establishes the domicile of the individual's living parent or court-appointed guardian as one factor that is prima facie evidence in determining an individual's legal residence. This presumption can be reinforced or rebutted relative to the age and general circumstances of the individual by other evidence of legal residence. The legal residence of an individual whose parents are domiciled outside of the State is not prima facie evidence of the individual's legal residence if the individual has lived in this State for 5 consecutive years prior to enrolling or reregistering at an institution of higher education. The determination that an individual qualifies for in-State tuition allows the student to receive in-state tuition at both the UNC constituent institution, community colleges, and to qualify for need-based State grants for both public and private institutions of higher education in the State.

**BILL ANALYSIS:** Part III would allow the presumption that an individual's residence is the same as the individual's parents to be reinforced or rebutted by evidence of graduation from a North Carolina high school. However, evidence of graduation from a North Carolina high school alone would not establish legal residence in the State.

**EFFECTIVE DATE:** HB 668 would become effective when it becomes law.