

Act No. 29 of 2021

On May 6th, 2021, Governor McMaster signed into law Act 29. This legislation related to tuition and fee assessment for covered individuals receiving specific educational benefits at public institutions in South Carolina. The legislation was required in order for South Carolina to be in compliance with Federal Public Law 116-315. Act 29 amends Section 59-112-50 (C) of the SC Code of Laws, removing three years within discharged limit and making the following categories of veterans and covered individuals eligible for in-state charges:

- A Veteran using educational assistance under either chapter 30 (Montgomery G.I. Bill – Active Duty Program) or chapter 33 (Post-9/11 G.I. Bill), of title 38, United States Code, who lives in the state in which the institution is located (regardless of his/her formal State of residence) and who has served a period of active duty service of 90 days or more.
- Anyone using transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319) who lives in the state in which the institution is located (regardless of his/her formal State of residence).
- Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same institution. The person must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)) who lives in the state in which the institution is located (regardless of his/her formal State of residence).
- Anyone using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. § 3319) who lives in the state in which the institution is located (regardless of his/her formal state of residence) and the transferor is a member of the uniformed service who is serving on active duty.
- Anyone using rehabilitation benefits under (38 U.S.C. § 3102(a)) who lives in the state in which the institution is located (regardless of his/her formal State of residence).

In summary, **the requirement that a covered individual receiving educational benefits enrolled at an institution within three years of discharge has been removed from the S.C Code of Laws.**