

**88-3-8a. Military personnel.** (a) The resident fee privilege shall be accorded to any person who meets the following conditions:

(1) Is enrolled at any state educational institution as defined by K.S.A. 76-711 and amendments thereto; and

(2) meets one of the following conditions:

(A) Is actively serving in any armed service of the United States and, regardless of the individual's duty station, resides in Kansas; or

(B) is a member of the Kansas army or air national guard.

(b) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(A) unless one of the following occurs:

(1) The person meeting the requirements of paragraph (a)(2)(A) is reassigned from a Kansas duty station to a duty station outside the state, and the spouse or dependents do not continue to reside in Kansas.

(2) The person meeting the requirements of paragraph (a)(2)(A) never had a duty station assignment in Kansas and does not continue to reside in Kansas.

(c) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(B) unless the spouse or dependents do not reside in Kansas.

(d) This regulation shall not be construed to prevent a person in the military service from acquiring or retaining a bona fide residence in Kansas.

(e) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined by K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730; implementing K.S.A. 2006 Supp. 76-729,

as amended by 2007 HB 2425, §1 and 2007 HB 2185, §10, and K.S.A. 76-730; effective July 27, 2007.)