
SENATE COMMITTEE ON MILITARY AND VETERANS AFFAIRS

Senator Bob Archuleta, Chair

2025 - 2026 Regular

Bill No:	AB 1346	Hearing Date:	6/22/26
Author:	DeMaio		
Version:	2/21/25		
Urgency:	No	Fiscal:	Yes
Consultant:	Diego Nelson		

Subject: Public postsecondary education: residency: dependents of members of the Armed Forces: reenrollments

DESCRIPTION

Summary:

Extends eligibility for resident classification for tuition and fee purposes at the California State University and the University of California to certain dependents of members of the United States Armed Forces who withdraw or stop out of a baccalaureate degree program and later reenroll, even if the Armed Forces member has been transferred out of state on military orders or has retired from active duty.

Existing law:

1. Establishes uniform residency requirements for students attending public postsecondary educational institutions in California for purposes of determining whether a student pays resident or nonresident tuition and fees. (Education Code §§ 68000–68134)
2. Defines a “nonresident student” as a student who has not had residence in California for more than one year immediately preceding the residence determination date. (Education Code § 68018)
3. Provides that a student who is a member of the United States Armed Forces stationed in California on active duty, or a natural or adopted child, stepchild, or spouse who is a dependent of that member, is entitled to resident classification for tuition and fee purposes, as specified. (Education Code §§ 68074–68075)
4. Prohibits a student who is attending, or has been admitted to, a public postsecondary educational institution from losing resident classification if the student is continuously enrolled at that institution and is a dependent of a member of the United States Armed Forces, even if that member is later transferred on military orders to a place outside California or retires from active duty. (Education Code § 68074(b))
5. Requires the California State University, and requests the University of California, to require each campus in their respective systems to grant students the right to reenroll in their baccalaureate degree program after withdrawing or stopping out, if the student was in good academic standing with the university. (Education Code § 66208)
6. Establishes the Donahoe Higher Education Act, which sets forth the missions and functions of California’s public higher education segments, including the University of California and the California State University. (Education Code § 66010 et seq.)
7. Provides that provisions of the Donahoe Higher Education Act do not apply to the University of California unless the Regents of the University of California act by resolution to make those provisions applicable. (Education Code § 67400)

8. Establishes the California State University system and grants the Trustees of the California State University authority over the management, administration, and control of the CSU. (Education Code §§ 66606, 89030 et seq.)

This bill:

1. Allows a dependent of a member of the United States Armed Forces to retain California resident classification for tuition and fee purposes after reenrolling in a baccalaureate degree program, even if the Armed Forces member has been transferred out of state on military orders or has retired from active duty.
2. This protection would apply to students who are granted reenrollment after withdrawing or stopping out, provided the student otherwise meets the reenrollment requirements under current law.

BACKGROUND

California's student residency framework is governed by the Uniform Student Residency Requirements, which were established as part of the state's general postsecondary education laws. This law determines whether a student attending a public postsecondary institution is classified as a resident or nonresident for tuition and fee purposes. This distinction is significant because nonresident students generally pay substantially higher tuition than students classified as California residents.

California has long recognized that military families present unique residency considerations because their presence in, or absence from, the state is often determined by military orders rather than personal choice. Since 1980, California has provided resident tuition protections for certain military dependents by allowing the dependent children, stepchildren, adopted children, or spouses of an active-duty Armed Forces member stationed in California to receive resident classification for tuition and fee purposes.

That protection has been amended over time to respond to gaps affecting military families. AB 172 (Chavez, 2017), expanded the law by clarifying that eligible dependents who were attending, or had been admitted to, a public postsecondary institution could retain resident classification if the service member was later transferred out of state on military orders or retired from active duty. AB 172 responded to situations where a military dependent could be admitted to a California public college or university, qualify for resident tuition, and then risk losing that benefit before or during enrollment because the service member's orders changed.

However, the student must remain continuously enrolled at the institution in order to keep resident classification after the service member is transferred or retires. As a result, current law protects military-dependent students who remain continuously enrolled, but it does not fully account for students who need to temporarily withdraw or stop out. For military families, continuous enrollment may not always be possible. Dependents may face sudden moves, deployments, family caregiving responsibilities, health issues, financial hardship, or other disruptions connected to military life. A student may need to pause their education even while remaining committed to completing their degree.

In 2022, California separately recognized the need for students to have a pathway back to school through AB 1796 (Choi). That law required the California State University, and requested the University of California, to allow students in good academic standing to reenroll in their

baccalaureate degree program after withdrawing or stopping out. This policy acknowledged that students may leave college for a period of time and later return to complete their degrees.

COMMENT

According to the author: "AB 1346 is a powerful tool to help our military dependents unlock their educational opportunities. This proposal will support students who faced setbacks but are determined to continue their education. By enabling them to return to school and still benefit from resident tuition rates, this legislation recognizes California's commitment to second chances and personal growth."

Under existing law, a military-dependent student who remains continuously enrolled may keep resident tuition classification after the service member is transferred out of state or retires. This bill extends that same protection to an eligible student who is granted reenrollment after withdrawing or stopping out. For example, if a student is attending a CSU or UC campus while their parent is stationed in California and the parent is later transferred to another state, the student is protected under current law if they stay continuously enrolled. AB 1346 does not change that situation.

The bill instead applies to situations where a student's education is interrupted. For example, if a student is attending UC Davis while their spouse is stationed in California and the spouse is later transferred out of state, the student may need to withdraw for a year because of family responsibilities related to the move. Under current law, that student may lose resident tuition protection because they were not continuously enrolled. This bill would allow the student to retain resident classification if they are granted reenrollment.

Current law already recognizes that students in good academic standing may need to step away from college and later return. This bill ensures that this reenrollment pathway remains open for eligible military-dependent students by preventing a sudden change from resident to nonresident tuition when they come back. For example, if a student leaves CSU Long Beach in good academic standing after their parent retires from active duty and later reenrolls in the same baccalaureate degree program, this bill would allow that student to keep resident classification for tuition and fee purposes even though the student was not continuously enrolled.

This bill does not create a new right to reenroll. A student would still need to qualify for reenrollment under the existing CSU or UC process. If a student is not granted reenrollment, the bill would not independently require the university to readmit the student or provide resident tuition classification. In this way, the bill is limited to students who already meet the requirements to return to their baccalaureate degree program. Its primary function is to ensure that eligible military dependents are not priced out of completing their degree because military-related circumstances caused a break in enrollment.

Previous Legislation

AB 1796 (Choi, 2022), Required the California State University, and requested the University of California, to allow students in good academic standing to reenroll in their baccalaureate degree program after withdrawing or stopping out.

AB 172 (Chavez, 2017) Extended resident classification protections for designated dependents of transferred and retired United States Armed Forces members to those dependents who had been admitted to a public postsecondary institution before the transfer or retirement.

POSITIONS

Sponsor: Author.

Support: California Association of County Veterans Service Officers
California State Commanders Veterans Council
California State University, Office of the Chancellor
Military Officers Association of America, California Council of Chapters
Vietnam Veterans of America, California State Council

Oppose: None received

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