

(2) GRADUATED FROM A PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVED THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE;

(3) REGISTERS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THIS STATE NOT EARLIER THAN THE 2003 FALL SEMESTER;

(4) PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AN AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN APPLICATION TO BECOME A PERMANENT RESIDENT WITHIN 30 DAYS AFTER THE INDIVIDUAL BECOMES ELIGIBLE TO DO SO; AND

(5) MAKES APPLICATION TO ATTEND A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THIS STATE NOT LATER THAN 5 YEARS AFTER GRADUATING FROM A PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVING THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE.

(B) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT AWARD A DEGREE TO AN INDIVIDUAL WHO QUALIFIES FOR RESIDENT TUITION CHARGES UNDER THIS SECTION UNTIL THE INDIVIDUAL:

(1) THE INDIVIDUAL FILES THE AFFIDAVIT OR OTHER EVIDENCE OR DOCUMENTATION SPECIFIED UNDER THIS SECTION; OR

(2) PAYS THE DIFFERENCE BETWEEN THE TUITION CHARGES FOR A NONRESIDENT STUDENT AND THE TUITION CHARGES FOR A RESIDENT STUDENT AT THE INSTITUTION.

(C) (1) THIS SUBSECTION APPLIES TO THE FOLLOWING INDIVIDUALS:

(I) AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES;

(II) THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES; OR

(III) THE FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES; OR

(IV) AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS EXEMPT FROM PAYING NONRESIDENT TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THIS STATE IF:

(I) THE ACTIVE DUTY MEMBER REFERRED TO IN PARAGRAPH (1) OF THIS SUBSECTION:

~~(A)~~ ~~A.~~ 1. IS STATIONED IN THIS STATE;

~~(B)~~ ~~B.~~ 2. RESIDES IN THIS STATE; OR