
A BILL FOR AN ACT

RELATING TO RESIDENCE FOR TUITION PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that, according to a
2 report by the University of Hawaii, Hawaii is projected to
3 produce fourteen thousand six hundred high school graduates per
4 year, on average, between school years 2012 and 2032.

5 The legislature further finds that there is a substantial
6 number of Hawaii high school graduates who have attended
7 out-of-state colleges and universities and later return home to
8 Hawaii. In some cases, upon their return, individuals who plan
9 to enroll at a University of Hawaii campus, including a
10 community college, find they do not qualify for Hawaii residence
11 tuition because of their time spent out of state.

12 The purpose of this Act is to require the tuition residency
13 rules for the University of Hawaii to grant the resident tuition
14 fee for enrollment at any University of Hawaii campus, including
15 any community college, to all Hawaii high school graduates and
16 persons who have received equivalent graduation credentials in



1 the State should they choose to return from out of state and
2 pursue higher education in Hawaii, under certain conditions.

3 SECTION 2. Section 304A-402, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~[+]§304A-402[+]~~ **Residence for tuition purposes; basic**
6 **rule.** The board of regents shall adopt the necessary rules
7 defining residence for tuition purposes herein; provided that
8 the basic rule shall be that a student shall qualify for the
9 resident tuition fee only if the following criteria are met:

10 (1) The adult student, or in the case of a minor student,
11 the student's parents or guardians~~[, has]~~:

12 (A) Has or have been a bona fide resident of this
13 State for at least twelve consecutive months next
14 preceding the student's first day of officially
15 scheduled instruction for any semester or term in
16 which the student is enrolling at the particular
17 college or campus; and

18 ~~[-(2) The adult or minor student has]~~ (B) Has not been
19 claimed as a dependent for tax purposes for at
20 least twelve months next preceding the student's
21 first day of officially scheduled instruction for



1 any semester or term in which the student is
2 enrolling at the particular college or campus by
3 the student's parents or guardians who are
4 nonresidents of the State; provided that this
5 provision shall not apply in cases where the
6 parent claiming the student as a dependent is
7 entitled to do so under a child support order or
8 agreement issued or entered into in conjunction
9 with a divorce proceeding or legal separation
10 agreement and the other parent and the student
11 meet the criteria set forth in [~~paragraph (1).~~]
12 subparagraph (A); or

13 (2) For the purposes of enrollment at any University of
14 Hawaii campus, including any community college, the
15 adult student:

16 (A) Earned a Hawaii high school diploma, Hawaii high
17 school equivalency diploma, or Hawaii adult
18 community school diploma;

19 (B) Demonstrates their intent to reside in Hawaii by
20 registering as a Hawaii voter; and

21 (C) Is working toward an undergraduate degree;



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1 provided that this provision shall not apply to an
2 individual who has not been a bona fide resident of
3 the State for more than twelve years."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

7

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'L. J. ...', written over a horizontal line.

JAN 18 2022



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Report Title:

University of Hawaii; Residence for Tuition Purposes

Description:

Requires the tuition residency rules for the University of Hawaii to grant the resident tuition fee for enrollment at any University of Hawaii campus, including any community college, to individuals who have obtained a Hawaii high school diploma or equivalent credential, register to vote in the State, and are working toward an undergraduate degree, under certain conditions.

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