

---

---

# 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 Western Interstate Compact for Higher Education,  
3 Hawaii is projected to produce fourteen thousand eight hundred  
4 high school graduates per year, on average, over the next  
5 decade. The legislature further finds that facilitating  
6 postsecondary education and training for all interested high  
7 school graduates serves the State's interests. These  
8 postsecondary options benefit graduates by preparing them for  
9 jobs and career pathways that typically pay higher wages, which  
10 enables them to achieve their educational and career goals and  
11 better afford Hawaii's high cost of living. Increased  
12 enrollment and completion of postsecondary education and  
13 training will also increase the State's human capital.

14           Furthermore, the legislature finds that there is a  
15 substantial number of Hawaii high school graduates who have  
16 attended out-of-state colleges and universities or pursued other  
17 ventures outside of Hawaii and wish to return home to Hawaii to



1 complete their education. In some cases, upon their return,  
2 individuals who plan to enroll at a University of Hawaii campus,  
3 including a community college, find that they do not qualify for  
4 Hawaii resident tuition because of their time spent out of  
5 state.

6 The legislature further finds that recognizing local high  
7 school graduates and those who complete high school  
8 equivalencies locally as residents as qualifying for resident  
9 tuition fees would facilitate the enrollment of these students  
10 at one of the University of Hawaii's campuses.

11 The purpose of this Act is to simplify the residency  
12 determination for the State's high school students and recent  
13 graduates to enroll in postsecondary education and training at  
14 the University of Hawaii by considering high school seniors and  
15 recent high school graduates, including those who choose to  
16 return from out of state and pursue higher education in Hawaii,  
17 as residents under certain conditions.

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

20 "[+]§304A-402[+] **Residence for tuition purposes; basic**  
21 **rule.** The board of regents shall adopt the necessary rules



1 defining residence for tuition purposes herein; provided that  
2 the basic rule shall be that a student shall qualify for the  
3 resident tuition fee only if the following criteria are met:

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

6 (A) Has or have been a bona fide resident of this  
7 State for at least twelve consecutive months next  
8 preceding the student's first day of officially  
9 scheduled instruction for any semester or term in  
10 which the student is enrolling at the particular  
11 college or campus; and

12 [~~(2) The adult or minor student has~~] (B) Has not been  
13 claimed as a dependent for tax purposes for at  
14 least twelve months next preceding the student's  
15 first day of officially scheduled instruction for  
16 any semester or term in which the student is  
17 enrolling at the particular college or campus by  
18 the student's parents or guardians who are  
19 nonresidents of the State; provided that this  
20 provision shall not apply in cases where the  
21 parent claiming the student as a dependent is



1 entitled to do so under a child support order or  
2 agreement issued or entered into in conjunction  
3 with a divorce proceeding or legal separation  
4 agreement and the other parent and the student  
5 meet the criteria set forth in [~~paragraph (1).~~]  
6 subparagraph (A); or

7 (2) The adult or minor student is enrolled in a high  
8 school in the State for at least twelve consecutive  
9 months preceding the student's first day of officially  
10 scheduled instruction at the particular college or  
11 campus; or

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

15 (A) Received a high school diploma or its equivalent  
16 in the State within eight years preceding the  
17 student's first day of officially scheduled  
18 instruction at the University of Hawaii; and

19 (B) Is working toward an undergraduate degree."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2050.

2



**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 and are working toward an undergraduate degree, under certain conditions. Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

