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## 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



# H.B. NO. 919

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



# H.B. NO. 919

1           (C) Is working toward the student's first  
2                   undergraduate degree;  
3           provided that this provision shall not apply to an  
4           individual who has not been a bona fide resident of  
5           the State for more than twelve years."

6           SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY:



JAN 23 2023



# H.B. NO. 919

**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 their first undergraduate degree, under certain conditions.

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

