
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
17 the State should they choose to return from out of state and



1 pursue higher education in Hawaii, under certain conditions.
2 Your Committee finds that this measure addresses an issue of
3 statewide concern.

4 SECTION 2. Section 304A-402, Hawai'i Revised Statutes, is
5 amended to read as follows:

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

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

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

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



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

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

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

20 (B) Is working toward the student's first
21 undergraduate degree;



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



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 adult or minor students who have obtained a Hawaii high school diploma or equivalent credential and are working toward their first undergraduate degree, under certain conditions. (HD1)

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