
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE.

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

1 SECTION 1. The legislature finds that facilitating
2 postsecondary education and training for all interested high
3 school graduates serves the State's interest. Postsecondary
4 options assist graduates by preparing them for jobs and career
5 pathways that typically pay higher wages, which enable them to
6 achieve their educational and career goals and afford the
7 State's high cost of living. Increased enrollment and
8 completion of postsecondary education and training will increase
9 the State's human capital.

10 The legislature further finds that the University of Hawaii
11 amended its administrative rules to streamline the enrollment
12 process for all applicants for admission into the University of
13 Hawaii system; however, the existing statutory requirements
14 regarding residency for tuition purposes pose challenges for
15 some local graduating high school seniors or recent graduates.
16 Specifically, some students experiencing homelessness have
17 difficulty providing evidence of bona fide residency as required



1 by statute, and students who have complex family situations may
2 be incorrectly considered nonresidents. The legislature further
3 finds that recognizing local high school graduates as residents
4 to qualify for resident tuition fees would facilitate the
5 enrollment of these students at one of the University of
6 Hawaii's campuses.

7 Accordingly, the purpose of this Act is to simplify the
8 residency determination for the State's high school graduates to
9 enroll in postsecondary education and training at the University
10 of Hawaii by considering graduates of the State's high schools
11 to be residents for tuition purposes.

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

14 **"[f]§304A-402[+] Residence for tuition purposes; basic**
15 **rule.** The board of regents shall adopt the necessary rules
16 defining residence for tuition purposes herein; provided that
17 the basic rule shall be that a student shall qualify for the
18 resident tuition fee only if the following criteria are met:

19 (1) The adult student, or in the case of a minor student,
20 the student's parents or guardians, has or have been a
21 bona fide resident of this State for at least twelve



1 consecutive months next preceding the student's first
2 day of officially scheduled instruction for any
3 semester or term in which the student is enrolling at
4 the particular college or campus; and

5 (2) The adult or minor student [~~has~~]:

6 (A) Has not been claimed as a dependent for tax
7 purposes for at least twelve 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 by the student's parents or
12 guardians who are nonresidents of the State;
13 provided further that this provision shall not
14 apply in cases where the parent claiming the
15 student as a dependent is entitled to do so under
16 a child support order or agreement issued or
17 entered into in conjunction with a divorce
18 proceeding or legal separation agreement and the
19 other parent and the student meet the criteria
20 [~~set forth~~] described in paragraph (1) [~~-~~]; or

21 (B) (i) Graduated from high school in the State; or



1 (ii) Qualified for resident tuition fee pursuant
2 to paragraphs (1) and (2)(B)(i) or paragraph
3 (1) and this clause,
4 within two years preceding the student's first
5 day of officially scheduled instruction for any
6 semester or term in which the student is
7 enrolling at the particular college or campus;
8 provided further that the adult or minor student
9 shall enroll or is enrolled in an undergraduate
10 degree program; provided further that the adult
11 or minor student shall not have claimed resident
12 status of another state or submitted an
13 application to another state's institution of
14 higher learning as a resident of that state
15 within two years preceding the student's first
16 day of officially scheduled instruction for any
17 semester or term in which the student is
18 enrolling at the particular college or campus."

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

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



Report Title:

University of Hawaii; Residence for Tuition Purposes

Description:

Requires the University of Hawaii to grant resident tuition fees for enrollment at any University of Hawaii campus to individuals who have graduated from a Hawaii high school and are enrolling in an undergraduate degree program, under certain conditions. Effective 7/1/2050. (SD2)

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