

JAN 17 2025

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## A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1       SECTION 1. The legislature finds that certain individuals  
2 who came to the United States as children and meet several  
3 conditions may request consideration of deferred removal action  
4 against them for a certain period of time. The Deferred Action  
5 for Childhood Arrivals (DACA) program provides undocumented  
6 immigrants protection from deportation and a work permit.

7       The legislature further finds that postsecondary education  
8 prepares graduates for jobs and career paths that typically pay  
9 higher wages, which enables them to achieve further educational  
10 and career goals and better afford Hawaii's high cost of living.  
11 The legislature believes that additional safeguards are  
12 necessary to ensure that individuals under the DACA program are  
13 eligible and able to receive adequate funding for enrollment in  
14 postsecondary education programs at the university of Hawaii and  
15 are able to pursue higher paying jobs and career paths.

16       The legislature also finds that increasing the number of  
17 Hawaii residents who may enroll in and receive postsecondary



1 education at the university of Hawaii is a matter of statewide  
2 concern pursuant to article X, section 6, of the Hawaii State  
3 Constitution.

4 The purpose of this Act is to allow certain undocumented  
5 students to be considered residents of the State for the  
6 purposes of tuition, financial assistance, and university of  
7 Hawaii program participation under certain conditions.

8 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§304A- Undocumented students; tuition, financial  
12 assistance, and fees. (a) An undocumented student shall be  
13 considered a resident of the State for the purposes of tuition,  
14 financial assistance, and university program participation to  
15 the extent permitted under applicable federal law; provided that  
16 the undocumented student has, at the time of application:

17 (1) Established residency by domiciling and being  
18 physically present in the State for at least twelve  
19 consecutive months;

20 (2) Attended a public high school or private high school  
21 in the United States for at least three years;



(3) Attained a diploma from a public high school or private high school or the equivalent thereof in the United States; and

(4) Filed for Deferred Action for Childhood Arrivals with the Department of Homeland Security United States Citizenship and Immigration Services, or filed an affidavit with the university affirming the undocumented student's intent to file the application as soon as the undocumented student is able.

(b) For the purposes of this section, "undocumented student" means a student who is not a United States citizen, legal permanent resident, or non-immigrant alien and does not possess legal documentation of the student's status."

SECTION 3. New statutory material is underscored.

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

INTRODUCED BY:

Karl Rhoad



# S.B. NO. 814

**Report Title:**

UH; Undocumented Students; Tuition; Financial Aid; Resident Status; Deferred Action for Childhood Arrivals (DACA)

**Description:**

Allows certain undocumented students to be considered residents of the State for the purposes of tuition, financial assistance, and University of Hawaii program participation 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.*

