

JAN 22 2008

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

3 "~~[+]~~§304A-402~~[+]~~ **Residence for tuition purposes; basic**
4 **rule~~[+]~~; exception for military.** (a) The board of regents
5 shall adopt the necessary rules defining residence for tuition
6 purposes ~~[herein]~~; provided that the basic rule shall be that a
7 student shall qualify for the resident tuition fee only if the
8 following criteria are met:

9 (1) The adult student, or in the case of a minor student,
10 the student's parents or guardians, has or have been a
11 bona fide resident of this State for at least twelve
12 consecutive months next preceding the student's first
13 day of officially scheduled instruction for any
14 semester or term in which the student is enrolling at
15 the particular college or campus; and

16 (2) The adult or minor student has not been claimed as a
17 dependent for tax purposes for at least twelve months
18 next preceding the student's first day of officially



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

12 (b) A student shall also qualify for the resident tuition
13 fee if the student is a member of the armed forces on active
14 duty for a period of more than thirty days whose permanent duty
15 station is in the State, or the dependent of such a member. The
16 resident tuition fee shall continue to apply to such a student;
17 provided that the student is continuously enrolled at the
18 university, and shall not be discontinued solely because of a
19 subsequent change in the permanent duty station of the member to
20 a location outside of the State.

21 For the purposes of this subsection, "permanent duty
22 station" shall mean the member's domicile or homeport."



1 SECTION 2. Section 304A-502, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~§304A-502~~+~~ **Power of regents to grant tuition**
4 **waivers.** The board of regents, or its designated
5 representatives, is authorized to grant, modify, or suspend
6 tuition waivers.

7 The board may:

- 8 (1) Waive entirely or reduce the tuition fee or any of the
9 other fees for graduate teaching and research
10 assistants;
- 11 (2) Enter into agreements with government and university
12 officials of any other state or foreign country to
13 provide for reciprocal waiver of the nonresident
14 tuition and fee differential;
- 15 (3) Waive the nonresident tuition and fee differential for
16 selected students from Pacific and Asian jurisdictions
17 when their presence would be beneficial to the
18 university or the State;
- 19 (4) Waive entirely or reduce the tuition fee or any of the
20 other fees for students, resident or nonresident; and
- 21 (5) Waive the nonresident tuition and fee differential for
22 members in good standing of the following military



1 ~~[units,]~~ organizations or individuals, regardless of
2 their actual state of residence:

3 (A) The Hawaii national guard; ~~[and]~~

4 (B) The federal reserve components of the Army, Navy,
5 Air Force, Marine Corps, and Coast Guard who
6 attend drills with units located within the
7 State~~[+]~~; and

8 (C) Members of the armed forces on active duty for a
9 period of more than thirty days whose permanent
10 duty station is in the State. The waiver of the
11 nonresident tuition and fee differential shall
12 continue to apply to the student, provided that
13 the student is continuously enrolled at the
14 university, and shall not be discontinued solely
15 because of a subsequent change in the permanent
16 duty station of the member to a location outside
17 of the State.

18 The board shall determine the percentage of allowable tuition
19 and fee waivers for financial need and other university
20 priorities. These tuition waivers and waivers of the
21 nonresident tuition and fee differential shall be awarded in
22 accordance with guidelines established by the board."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2008.

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INTRODUCED BY: Robert Jones

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Report Title:

University of Hawaii; Residency; Tuition

Description:

Grants residency status for tuition purposes at the University of Hawaii for members of the armed forces on active duty, or dependents of the members, whose permanent duty station is in the State, notwithstanding a subsequent change in the permanent duty station of the member to a location outside of the State.

