

JAN 26 2022

---

# 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. These  
4 postsecondary option assist graduate by preparing them for jobs  
5 and career pathways that typically pay higher wages, which  
6 enables them to achieve their educational and career goals and  
7 afford the State's high cost of living. Increased enrollment  
8 and completion of postsecondary education and training also will  
9 increase the State's human capital.

10       The University of Hawaii is amending its administrative  
11 rules to streamline the enrollment process for all applicants  
12 into the University of Hawaii system; however, the current  
13 statutory requirements regarding residency for tuition purposes  
14 pose challenges for some local graduates. Specifically,  
15 students experiencing homelessness have difficulty providing  
16 evidence of bona fide residency, and students who have complex  
17 family situations may be incorrectly considered nonresidents.



1 The legislature further finds that recognizing local high school  
2 graduates and those who complete high school equivalencies  
3 locally as residents to qualify for resident tuition fees would  
4 facilitate the enrollment of these students at one of the  
5 University of Hawaii's campuses.

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

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

14 "[~~§~~§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]~~ In  
21 the case of an adult student, the adult student:



1           (A)   Has been a bona fide resident of this State for  
2                                   at least twelve consecutive months next preceding  
3                                   the student's first day of officially scheduled  
4                                   instruction for any semester or term in which the  
5                                   student is enrolling at the particular college or  
6                                   campus; and

7           ~~[(+2)]~~ (B)   ~~[The adult or minor student has]~~ Has not been  
8                                   claimed as a dependent for tax purposes for at  
9                                   least twelve months next preceding the student's  
10                                  first day of officially scheduled instruction for  
11                                  any semester or term in which the student is  
12                                  enrolling at the particular college or campus by  
13                                  the student's parents or guardians who are  
14                                  nonresidents of the State; provided that this  
15                                  provision shall not apply in cases where the  
16                                  parent claiming the student as a dependent is  
17                                  entitled to do so under a child support order or  
18                                  agreement issued or entered into in conjunction  
19                                  with a divorce proceeding or legal separation  
20                                  agreement and the other parent and the student



1 meet the criteria set forth in [~~paragraph (1).~~]

2 subparagraph (A);

3 (2) In the case of a minor student:

4 (A) The student's parents or guardians have been a  
5 bona fide resident of this State for at least  
6 twelve consecutive months next preceding the  
7 student's first day of officially scheduled  
8 instruction for any semester or term in which the  
9 student is enrolling at the particular college or  
10 campus; and

11 (B) The minor student has not been claimed as a  
12 dependent for tax purposes for at least twelve  
13 months next preceding the student's first day of  
14 officially scheduled instruction for any semester  
15 or term in which the student is enrolling at the  
16 particular college or campus by the student's  
17 parents or guardians who are nonresidents of the  
18 State; provided that this provision shall not  
19 apply in cases where the parent claiming the  
20 student as a dependent is entitled to do so under  
21 a child support order or agreement issued or



1           entered into in conjunction with a divorce  
2           proceeding or legal separation agreement and the  
3           other parent and the student meet the criteria  
4           set forth in subparagraph (A);

5       (3) The adult or minor student is enrolled in a high  
6       school in the State for at least twelve consecutive  
7       months preceding the student's first day of officially  
8       scheduled instruction at the particular college or  
9       campus; or

10      (4) The adult or minor student received a high school  
11      diploma or equivalent in the State for at least twelve  
12      consecutive months preceding the student's first day  
13      of officially scheduled instruction at the particular  
14      college or campus."

15           SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

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

18  
INTRODUCED BY:





**Report Title:**

University of Hawaii; Resident Tuition Fees; High School Seniors; Recent High School Graduates

**Description:**

Expands the criteria to qualify for resident tuition fees to include high school seniors and recent high school graduates.

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

