

---

---

**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 enables 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 University of Hawaii amended its administrative rules  
11 to streamline the enrollment process for all applicants for  
12 admission into the University of Hawaii system; however, the  
13 current statutory requirements regarding residency for tuition  
14 purposes pose challenges for some local graduating high school  
15 seniors or recent graduates. Specifically, some students  
16 experiencing homelessness have difficulty providing evidence of  
17 bona fide residency as required by statute, and students who  
18 have complex family situations may be incorrectly considered

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

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

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

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

17 (1) The adult student, or in the case of a minor student,  
18 the student's parents or guardians, has or have been a  
19 bona fide resident of this State for at least twelve  
20 consecutive months next preceding the student's first  
21 day of officially scheduled instruction for any  
22 semester or term in which the student is enrolling at  
23 the particular college or campus; and

H.B. NO. 1115

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

15          (3) The adult or minor student:  
16                (A) Graduated from high school in the State within  
17                two years preceding the student's first day of  
18                officially scheduled instruction for any semester  
19                or term in which the student is enrolling at the  
20                particular college or campus; and  
21                (B) Will enroll in an undergraduate degree program."

22           SECTION 3. Statutory material to be repealed is bracketed  
23           and stricken. New statutory material is underscored.

H.B. NO. 1115

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

2

3

INTRODUCED BY: 

4

BY REQUEST

JAN 23 2023

# H.B. NO. 1115

**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 to individuals who have graduated from a Hawaii high school and are enrolling in an undergraduate degree program, 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.*

JUSTIFICATION SHEET

DEPARTMENT: University of Hawaii

TITLE: A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE.

PURPOSE: Requires the tuition residency rules for the University of Hawaii (UH) to grant the resident tuition fee for enrollment at any UH campus to individuals who have graduated from a Hawaii high school and are enrolling in an undergraduate degree program, under certain conditions.

MEANS: Amend section 304A-402, Hawaii Revised Statutes.

JUSTIFICATION: The UH amended its administrative rules to streamline the enrollment process for all applicants for admission into the UH system; however, the current statutory requirements regarding residency for tuition purposes pose challenges for some graduating high school seniors or recent graduates. Specifically, some students experiencing homelessness have difficulty providing evidence of bona fide residency, and students who have complex family situations may be incorrectly considered nonresidents.

This measure will simplify the residency determination for the State's high school graduates to enroll in postsecondary education and training at the UH by considering soon-to-be and recent graduates of local high schools to be residents for tuition purposes.

Impact on the public: The UH anticipates that more local high school graduates would complete UH admissions applications at both community colleges and baccalaureate campuses due to a streamlined residency evaluation in the admissions application. Also, UH anticipates that more local applicants are likely to enroll if they are

determined to be residents when they are accepted.

Impact on the department and other agencies:

The UH will need to revise its process for residency determination. The UH and the Department of Education will need to change their communication with high school students.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: UOH 100, UOH 110, UOH 115, UOH 210, UOH 700,  
UOH 800.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.