

Senator Gregory S. Bell proposes the following substitute bill:

RESIDENT TUITION STATUS FOR JOB

CORPS STUDENTS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Gregory S. Bell

LONG TITLE

General Description:

This bill provides resident status for Job Corps students at state institutions of higher education.

Highlighted Provisions:

This bill:

- ▶ provides that a Job Corps student is entitled to resident student status if the student:
 - is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate; and
 - submits verification that the student is a current Job Corps student.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2005.

Utah Code Sections Affected:

AMENDS:

53B-8-102, as last amended by Chapter 337, Laws of Utah 2004

Be it enacted by the Legislature of the state of Utah:



26 Section 1. Section **53B-8-102** is amended to read:

27 **53B-8-102. Definition of resident student.**

28 (1) The meaning of "resident student" is determined by reference to the general law on
29 the subject of domicile, except as provided in this section.

30 (2) (a) A person who has come to Utah and established residency for the purpose of
31 attending an institution of higher education shall, prior to registration as a resident student:

32 (i) maintain continuous Utah residency status while completing 60 semester credit
33 hours at a regionally accredited Utah higher education institution or an equivalent number of
34 applicable contact hours at the Utah College of Applied Technology; and

35 (ii) demonstrate by additional objective evidence, including Utah voter registration,
36 Utah drivers license, Utah vehicle registration, employment in Utah, payment of Utah resident
37 income taxes, and Utah banking connections, the establishment of a domicile in Utah and that
38 the student does not maintain a residence elsewhere.

39 (b) A member of the Utah National Guard who performs active duty service shall be
40 considered to maintain continuous Utah residency under this Subsection (2).

41 (3) Personnel of the United States Armed Forces assigned to active duty in Utah, and
42 the immediate members of their families residing with them in this state are entitled to resident
43 status for tuition purposes. Upon the termination of active duty status, the military personnel
44 and their family members are governed by the standards applicable to nonmilitary persons.

45 (4) (a) Aliens who are present in the United States on visitor, student, or other visas
46 which authorize only temporary presence in this country, do not have the capacity to intend to
47 reside in Utah for an indefinite period and therefore are classified as nonresidents.

48 (b) Aliens who have been granted immigrant or permanent resident status in the United
49 States are classified for purposes of resident status according to the same criteria applicable to
50 citizens.

51 (5) The board, after consultation with the institutions, shall make rules not inconsistent
52 with this section:

53 (a) concerning the definition of resident and nonresident students;

54 (b) establishing procedures for classifying and reclassifying students;

55 (c) establishing criteria for determining qualifying credit hours and judging claims of
56 residency or domicile;

57 (d) establishing appeals procedures; and

58 (e) other matters related to this section.

59 (6) Any American Indian who is enrolled on the tribal rolls of a tribe whose reservation
60 or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with
61 the border of Utah, and any American Indian who is a member of a federally recognized or
62 known Utah tribe and who has graduated from a high school in Utah, is entitled to resident
63 student status.

64 (7) A Job Corps student is entitled to resident student status if the student:

65 (a) is admitted as a full-time, part-time, or summer school student in a program of
66 study leading to a degree or certificate; and

67 (b) submits verification that the student is a current Job Corps student.

68 [~~7~~] (8) Other institutions within the system shall honor a determination by an
69 institution that a person is a resident student unless the determination was obtained by false
70 pretenses or the facts which existed at the time of the determination have materially changed.

71 Section 2. **Effective date.**

72 This bill takes effect on July 1, 2005.

Fiscal Note
Bill Number SB0122s01

Resident Tuition Status for Job Corps Students

25-Jan-05

10:37 AM

State Impact

Any additional costs can be handled within existing budgets.

Individual and Business Impact

This bill will save non-resident Job Corps students going to college in Utah up to \$6,000 per year in tuition.

Office of the Legislative Fiscal Analyst