

SENATE BILL No. 362

By Committee on Ways and Means

4-6

AN ACT concerning the state educational institutions; relating to residence of students for fee purposes; amending K.S.A. 2000 Supp. 76-729 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 76-729 is hereby amended to read as follows: 76-729. (a) *(1) Persons enrolling at the state educational institutions under the control and supervision of the state board of regents university of Kansas, Kansas state university of agriculture and applied science, or Wichita state university who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes.*

(2) Persons enrolling at Emporia state university, Pittsburg state university, or Fort Hays state university who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least six months prior to enrollment for any term or session are residents for fee purposes.

(3) A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 12 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.

(b) The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees:

- (1) Persons who are employees of a state educational institution;
- (2) persons who are in military service;
- (3) persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence

1 was established in the state within 30 days of discharge or retirement
2 from active military service under honorable conditions, but whose dom-
3 iciliary residence was not timely enough established to meet the residence
4 duration requirement of subsection (a);

5 (4) persons having special domestic relations circumstances;

6 (5) persons who have lost their resident status within six months of
7 enrollment;

8 (6) persons who are not domiciliary residents of the state, who have
9 graduated from a high school accredited by the state board of education
10 within six months of enrollment, who were domiciliary residents of the
11 state at the time of graduation from high school or within 12 months prior
12 to graduation from high school, and who are entitled to admission at a
13 state educational institution pursuant to K.S.A. 72-116, and amendments
14 thereto;

15 (7) persons who are domiciliary residents of the state, whose domi-
16 ciliary residence was established in the state for the purpose of accepting,
17 upon recruitment by an employer, or retaining, upon transfer required
18 by an employer, a position of full-time employment at a place of employ-
19 ment in Kansas, but the domiciliary residence of whom was not timely
20 enough established to meet the residence duration requirement of sub-
21 section (a), and who are not otherwise eligible for authorization to pay an
22 amount equal to resident fees under this subsection; and

23 (8) persons who have graduated from a high school accredited by the
24 state board of education within six months of enrollment and who, at the
25 time of graduation from such a high school or while enrolled and in at-
26 tendance at such a high school prior to graduation therefrom, were de-
27 pendents of a person in military service within the state; if the person,
28 whose dependent is eligible for authorization to pay an amount equal to
29 resident fees under this provision, does not establish domiciliary resi-
30 dence in the state upon retirement from military service, eligibility of the
31 dependent for authorization to pay an amount equal to resident fees shall
32 lapse.

33 (c) As used in this section:

34 (1) "Parents" means and includes natural parents, adoptive parents,
35 stepparents, guardians and custodians.

36 (2) "Guardian" has the meaning ascribed thereto by K.S.A. 59-3002,
37 and amendments thereto.

38 (3) "Custodian" means a person, agency or association granted legal
39 custody of a minor under the Kansas code for care of children.

40 (4) "Domiciliary resident" means a person who has present and fixed
41 residence in Kansas where the person intends to remain for an indefinite
42 period and to which the person intends to return following absence.

43 (5) "Full-time employment" means employment requiring at least

1 1,500 hours of work per year.

2 Sec. 2. K.S.A. 2000 Supp. 76-729 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its
4 publication in the statute book.

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