

SESSION OF 2004

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 2626**

As Recommended by House Committee on
Higher Education

Brief*

Sub. for HB 2626 would amend various statutes governing tuition waivers and eligibility to pay in-state tuition at institutions of postsecondary education. The bill would provide waivers of tuition for residents of Kansas who were prisoners of war while serving in the military and requires the Board of Regents to reimburse the institutions for the costs of the individual's tuition subject to appropriations.

The bill also would amend statutes relating to the dependents of a public service officer (law enforcement officer, firefighter, or emergency medical services attendant) killed in the line of duty. The definition of dependent as it relates to those eligible for a waiver of tuition is expanded to include the spouse of the public service officer.

Sub. for HB 2626 would remove a limitation in current law on the classes of students which the Board of Regents may authorize to pay resident fees. The amendment would repeal a provision that dependents of military personnel must have graduated from a Kansas high school to be eligible for resident fees. The removal of the provision would authorize the Board of Regents to set policies concerning residency status of military personnel and their spouses and dependents in regulation.

The bill also contains provisions related to residency transfer and appeals of residency determination. Under the bill, from January 1, 2003, through July 1, 2005, an individual determined to be a resident for fee purposes at one of the state universities shall be deemed a resident for fee purposes at any state university. If an individual receives differing determinations during this time period, the individual would receive a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

refund of the difference between resident and non-resident tuition paid. The bill would establish an appeal process effective July 1, 2004, for an individual should differing residency determinations be made by two state educational institutions within a 12-month period. Appeals of conflicting residency determinations would be made to the Chief Executive Officer of the Board of Regents.

Background

Sub. for HB 2626 contains the original provisions of the bill in addition to the provisions of House Bill 2536 as amended and House Bill 2804. HB 2626 was introduced by the House Committee on Appropriations. The House Committee on Higher Education recommended the substitute bill.

The original provisions of HB 2626 provided for a waiver of tuition for Kansas citizens who were prisoners of war while serving in the military. The fiscal note from the Division of the Budget on the original bill stated that the fiscal impact could not be determined. A fiscal note on the substitute bill was not available when this supplemental note was prepared.