

18A:62-4

LEGISLATIVE HISTORY CHECKLIST

WASA 18A:62-4 (Higher Education--residents tuition--eligibility requirements)

LAWS OF 1979 CHAPTER 361

Bill No. S1387

Sponsor(s) Ewing and others

Date Introduced Oct. 19, 1978

Committee: Assembly Education

Senate Education

Amended during passage Yes

Senate Committee substitute (OCR) adopted. Amendments denoted by asterisks.

Date of Passage: Assembly Jan. 5, 1980

Senate May 24, 1979

Date of approval Feb. 1, 1980

Following statements are attached if available:

Sponsor statement Yes Senate amendments to SCS of 5-7-79 with statement (attached)

Committee Statement: Assembly No

Senate Yes

Fiscal Note Yes

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

8/1/78

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SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1387

STATE OF NEW JERSEY

ADOPTED FEBRUARY 20, 1979

AN ACT concerning education and supplementing Title 18A of the
New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Persons who have been ***[domiciled]*** **resident** within this
2 State for a period of 12 months prior to enrollment in a public
3 institution of higher education are presumed to be domiciled in
4 this State for tuition purposes. Persons who have been ***[domi-**
5 **ciled]*** **resident** within this State for less than 12 months prior
6 to enrollment are presumed to be nondomiciliaries for tuition pur-
7 poses. Persons presumed to be nondomiciled or persons who are
8 presumed to be domiciled, but whose domiciliary status is chal-
9 lenged by the institution, may demonstrate domicile according to
10 rules and regulations established for that purpose by the Board
11 of Higher Education. Residence established solely for the pur-
12 pose of attending a particular educational institution is not domi-
13 cile for the purposes of this act.

1 2. This act shall take effect September 1 following enactment.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

SENATE, No. 1387

STATE OF NEW JERSEY

INTRODUCED OCTOBER 19, 1978

By Senators EWING, DUMONT, FELDMAN, FORAN, HAGEDORN,
VREELAND, SCARDINO and YATES

Referred to Committee on Education

AN ACT concerning education and supplementing Title 18A of the
New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Every public institution of higher education shall charge
2 tuition rates for nonresident students which reflect the actual cost
3 of their institutional program. Such rates shall be established by
4 the State Board of Higher Education or the board of governors of
5 the institution of higher education, whichever is applicable.

1 2. Nonresident tuition rates shall apply to every student whose
2 parent or parents do not maintain a permanent residence in the
3 State as of the first day of classes of the semester and to students
4 over the age of 21 who have not maintained a residence in the State
5 for 1 year prior to the first day of classes.

1 3. This act shall take effect September 1 following enactment.

STATEMENT

At the present time students are charged nonresident tuition if their parents have not been residents of this State for at least 1 year. This bill would permit students whose parents have moved into the State prior to the first day of classes to be eligible for resident tuition.

SENATE EDUCATION COMMITTEE
STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1387

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 1979

PROVISIONS:

The Senate Education Committee favorably reports this bill which would change the definition of New Jersey resident for the purpose of calculating tuition at public institutions of higher education.

FISCAL IMPLICATIONS:

There are relatively few out-of-state students in New Jersey institutions of higher education. The impact of this bill on State funds would be minimal.

BACKGROUND:

Present law requires that a student be a resident for 12 months prior to enrollment. The State Board of Higher Education cannot make an exception to this regulation. This penalizes individuals who have moved to New Jersey and established legal domicile less than a year prior to a student's enrollment in college.

Under this bill, the State Board of Higher Education could make an exception for individuals who can demonstrate that they are legally domiciled in New Jersey.

SENATE AMENDMENTS TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1387

—◆—
STATE OF NEW JERSEY
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ADOPTED MAY 7, 1979

Amend page 1, section 1, line 1, omit “domiciled”, and insert “resident”.

Amend page 1, section 1, line 4, omit “domiciled”, and insert “resident”.

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STATEMENT

These amendments make it clear that the intent of the change is to presume persons who have been resident for 12 months as domiciled for purposes of tuition.

FISCAL NOTE TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1387

STATE OF NEW JERSEY

DATED: AUGUST 7, 1979

Senate Committee Substitute for Senate Bill No. 1387 prescribes the resident requirements for an individual to be eligible to pay a residents tuition at a public institution of higher education.

The Department of Higher Education estimates that enactment of this legislation would have negligible cash consequences.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.