

[First Reprint]

SENATE, No. 1760

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED MARCH 8, 2012

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District 29 (Essex)

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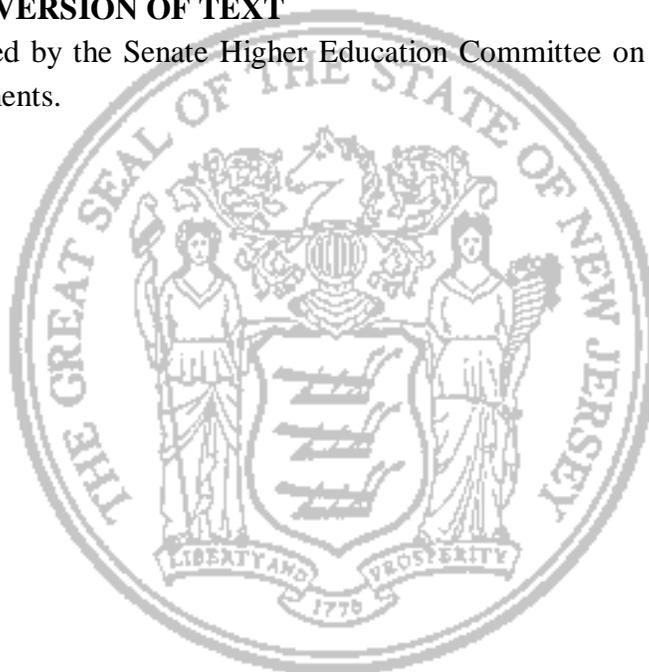
Senators Pou and Lesniak

SYNOPSIS

“Higher Education Citizenship Equality Act;” defines domicile for dependent students for the purpose of eligibility for State student loans, grants, or scholarships and in-State tuition rate.

CURRENT VERSION OF TEXT

As reported by the Senate Higher Education Committee on May 14, 2012, with amendments.



(Sponsorship Updated As Of: 10/26/2012)

1 AN ACT concerning higher education and supplementing chapter 62
2 and chapter 71B of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “Higher
8 Education Citizenship Equality Act.”

9

10 2. a. A dependent student shall be considered domiciled in this
11 State for the purposes of determining eligibility for a State student
12 loan, grant, or scholarship if the student meets the following
13 criteria:

14 (1) the student is a United States citizen;

15 (2) the student has resided in the State for a period of not less
16 than 12 consecutive months immediately prior to the academic
17 period for which State student assistance is being requested; and

18 (3) the student’s parent or guardian provides the Higher
19 Education Student Assistance Authority with documentation that
20 the parent or guardian has filed a New Jersey and federal income
21 tax return ¹, or with evidence of withholding of income tax,¹ for the
22 most recent tax year.

23 b. ¹**[Notwithstanding the provisions of]** A dependent student
24 may not establish eligibility for a State student loan, grant, or
25 scholarship pursuant to¹ subsection a. of this section ¹**[to the**
26 **contrary, a dependent student whose]** if the student’s¹ parent has
27 not lived in this State for a period of at least 12 consecutive months
28 immediately prior to the initial academic period for which State
29 student assistance is being requested ¹**[shall be considered to be in**
30 **the State for the temporary purpose of obtaining an education and**
31 **shall be ineligible for such assistance]**¹.

32 c. Nothing in this section shall be construed to affect the
33 eligibility for a State student loan, grant, or scholarship of any
34 student who does not meet the requirements of this section but is
35 ¹otherwise¹ eligible for State student assistance in accordance with
36 law or regulation.

37

38 3. a. A dependent student shall be considered domiciled in this
39 State for the purposes of determining eligibility for the in-State
40 undergraduate tuition rate at a public institution of higher education
41 if the student meets the following criteria:

42 (1) the student is a United States citizen;

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SHI committee amendments adopted May 14, 2012.**

- 1 (2) the student has resided in the State for a period of not less
2 than 12 consecutive months before first enrolling in a public
3 institution of higher education; and
- 4 (3) the student's parent or guardian provides the ¹['Higher
5 Education Student Assistance Authority] public institution of
6 higher education¹ with ¹['documentation that the parent or guardian
7 has filed a] copies of any¹ New Jersey and federal income tax
8 return ¹filed by the parent or guardian, or with evidence of
9 withholding of income tax,¹ for the most recent tax year.
- 10 b. ¹['Notwithstanding the provisions of] A dependent student
11 may not establish eligibility for the in-State undergraduate tuition
12 rate pursuant to¹ subsection a. of this section ¹['to the contrary, a
13 dependent student whose] if the student's¹ parent has not lived in
14 this State for a period of at least 12 consecutive months
15 immediately prior to the student's initial enrollment in a public
16 institution of higher education ¹['shall be considered to be in the
17 State for the temporary purpose of obtaining an education and shall
18 be ineligible for the in-State undergraduate tuition rate']¹.
- 19 c. Nothing in this section shall be construed to affect the
20 eligibility for the in-State undergraduate tuition rate of any student
21 who does not meet the requirements of this section but is
22 ¹otherwise¹ eligible for the in-State undergraduate tuition rate at a
23 public institution of higher education in accordance with law or
24 regulation.
- 25
- 26 4. This act shall take effect immediately and shall first be
27 applicable to the determination of State student assistance for the
28 2012-2013 academic year.