

[First Reprint]

## **ASSEMBLY, No. 3836**

# **STATE OF NEW JERSEY**

## **218th LEGISLATURE**

INTRODUCED APRIL 12, 2018

**Sponsored by:**

**Assemblyman REED GUSCIORA**

**District 15 (Hunterdon and Mercer)**

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**District 36 (Bergen and Passaic)**

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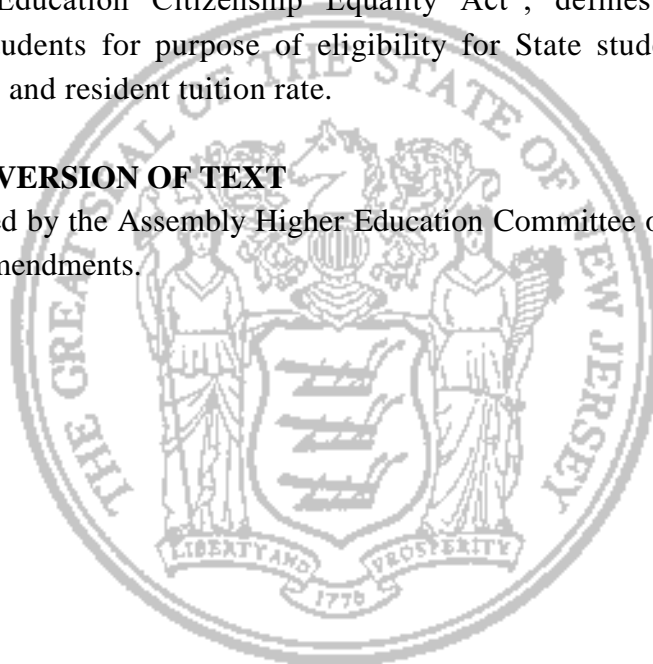
**Assemblywoman McKnight**

### **SYNOPSIS**

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

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Higher Education Committee on December 5, 2019, with amendments.



**(Sponsorship Updated As Of: 12/17/2019)**

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  
11 this State for the purposes of determining eligibility for a State  
12 student <sup>1</sup>[loan,] <sup>1</sup>grant <sup>1</sup>[,] <sup>1</sup>or scholarship if the student meets the  
13 following criteria:

14 (1) the student is a United States citizen <sup>1</sup>or an eligible  
15 noncitizen, as determined under 20 U.S.C. s.1091 <sup>1</sup>;

16 (2) the student <sup>1</sup>[has] and the student’s parent have <sup>1</sup>resided in  
17 the State for a period of not less than 12 consecutive months  
18 immediately prior to the academic period for which State student  
19 assistance is being requested; and

20 (3) the student’s parent or guardian provides the Higher  
21 Education Student Assistance Authority <sup>1</sup>, upon request, <sup>1</sup>with  
22 documentation <sup>1</sup>[that the parent or guardian has filed a New Jersey  
23 and federal income tax return, or with evidence of withholding of  
24 income tax, for the most recent tax year] to verify income and  
25 assets <sup>1</sup>.

26 b. <sup>1</sup>[A dependent student shall not be denied eligibility for a  
27 State student loan, grant, or scholarship solely on the basis that the  
28 student’s parent or guardian cannot establish domicile.

29 c. <sup>1</sup>[Any procedures and forms established by the Higher  
30 Education Student Assistance Authority and the Secretary of Higher  
31 Education for the purposes of this section shall not discriminate  
32 against eligible students based on the immigration status or national  
33 origin of the student or the student’s parent or guardian.

34 <sup>1</sup>[d.] c. <sup>1</sup> Nothing in this section shall be construed to affect  
35 the eligibility for a State student <sup>1</sup>[loan,] <sup>1</sup>grant <sup>1</sup>[,] <sup>1</sup>or  
36 scholarship of any student who does not meet the requirements of  
37 this section but is otherwise eligible for State student assistance in  
38 accordance with law or regulation.

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

44 (1) the student is a United States citizen; and

**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:

<sup>1</sup>Assembly AHI committee amendments adopted December 5, 2019.

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, in the case of a county college  
4 student, resides in the county sponsoring the college before first  
5 enrolling at the college.

6       b. A dependent student may not establish eligibility for the  
7 resident undergraduate tuition rate pursuant to subsection a. of this  
8 section if the student's parent <sup>1</sup>or guardian<sup>1</sup> has not lived in this  
9 State for a period of at least 12 consecutive months immediately  
10 prior to the student's initial enrollment in a public institution of  
11 higher education.

12       c. Nothing in this section shall be construed to affect the  
13 eligibility for the resident undergraduate tuition rate of any student  
14 who does not meet the requirements of this section but is otherwise  
15 eligible for the resident undergraduate tuition rate at a public  
16 institution of higher education in accordance with law or regulation.

17

18       4. This act shall take effect immediately and shall first be  
19 applicable to the determination of State student assistance and  
20 eligibility for the resident undergraduate tuition rate for the <sup>1</sup>**2018-**  
21 **2019** 2020-2021<sup>1</sup> academic year.