

HOUSE BILL NO. 1454

Introduced by

Representatives Glassheim, Kliniske, Clark

Senators DeMers, C. Nelson

1 A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code,
2 relating to the definition of a resident for purposes of tuition at institutions of higher education.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15-10-19.1 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **15-10-19.1. Nonresident and resident student for tuition purposes defined.**

7 1. A "nonresident student" for tuition purposes means any student other than a
8 resident student.

9 2. A "resident student" for tuition purposes means:

10 a. A person less than eighteen years of age whose guardian, custodial parent, or
11 parents are legal residents of this state and have resided in this state for
12 twelve months, or a dependent child whose custodial parent moved into the
13 state with the intent to establish legal residency for a period of years within the
14 last twelve months immediately prior to the beginning of the academic term;

15 b. A person of age eighteen or over who is a legal resident of this state and has
16 resided in this state after reaching age eighteen for twelve months
17 immediately prior to the beginning of the academic term;

18 c. A person who graduated from a North Dakota high school within six years of
19 the beginning of the academic term;

20 d. A person whose parent graduated from an institution of higher education
21 under the control of the state board of higher education;

22 e. A full-time active duty member of the armed forces assigned to a military
23 installation in this state;

- 1 e- f. A spouse or dependent of a full-time active duty member of the armed forces
2 assigned to a military installation in this state, a dependent of an instructor
3 who lives and teaches in any institution of higher education in this state, and a
4 spouse of any other resident for tuition purposes; and
5 f- g. Any other person who was a legal resident of this state for at least three
6 consecutive years within six years of the beginning of the academic term.
7 3. A temporary absence from the state for vacation or other special or temporary
8 purposes may not be considered an abandonment of residency in this state,
9 provided a residence is maintained in this state during the temporary absence.
10 However, a student who leaves the state and resides in another state for a period
11 of months is not considered a resident of this state during those months if the
12 student does not maintain a place of residence in this state during the student's
13 absence.