

## SENATE BILL No. 102

By Committee on Education

1-25

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1 AN ACT concerning postsecondary education; relating to technical  
2 colleges; establishing residency criteria for students of technical  
3 colleges; amending K.S.A. 71-1803 and repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) Persons enrolling in a technical college who, if  
7 adults, have been domiciliary residents of the state of Kansas or, if such  
8 persons are minors, whose parents have been domiciliary residents of the  
9 state of Kansas for at least six months prior to enrollment for any term or  
10 session are residents for fee purposes. All other persons are nonresidents of  
11 the state of Kansas for fee purposes.

12 (b) The state board of regents may authorize the following persons, or  
13 any class or classes thereof, and their spouses and dependents to pay an  
14 amount equal to resident fees at technical colleges:

- 15 (1) Employees of a technical college;  
16 (2) persons having special domestic relations circumstances;  
17 (3) persons who have lost their resident status within six months of  
18 enrollment;  
19 (4) active duty military servicemembers;  
20 (5) domiciliary residents of the state who were in active military  
21 service prior to becoming domiciliary residents of the state who were  
22 present in the state for a period of not less than two years during such  
23 residents' tenure in active military service if domiciliary residence was  
24 established in the state within 30 days of discharge or retirement from  
25 active military service under honorable conditions whose domiciliary  
26 residence was not timely enough established to meet the residence  
27 duration requirement of subsection (a);

28 (6) persons who are not domiciliary residents of the state, have  
29 graduated from a high school accredited by the state board of education  
30 within six months of enrollment, were domiciliary residents of the state at  
31 the time of graduation from high school or within 12 months prior to  
32 graduation from high school and are entitled to admission at a state  
33 educational institution pursuant to K.S.A. 76-717b, and amendments  
34 thereto; or

35 (7) persons who are domiciliary residents of the state whose  
36 domiciliary residence was established in the state for the purpose of

1 accepting, upon recruitment by an employer, or retaining, upon transfer  
2 required by an employer, a position of full-time employment at a place of  
3 employment in Kansas, but whose domiciliary residence was not timely  
4 enough established to meet the residence duration requirement of  
5 subsection (a) if such persons were not otherwise eligible for authorization  
6 to pay an amount equal to resident fees under this subsection.

7 Sec. 2. K.S.A. 71-1803 is hereby amended to read as follows: 71-  
8 1803. (a) In each fiscal year, ~~commencing with the 2012 fiscal year~~, each  
9 community college, technical college and the Washburn institute of  
10 technology is eligible for postsecondary tiered technical education state aid  
11 from the state general fund for postsecondary tiered technical course credit  
12 hours approved by the state board and delivered by the institution to  
13 students who are residents of the state of Kansas, in an amount to be  
14 determined by the state board using a credit hour cost calculation model  
15 that:

16 (1) Is tiered to recognize and support cost differentials in providing  
17 high-demand, high-tech training;

18 (2) takes into consideration target industries critical to the Kansas  
19 economy;

20 (3) is responsive to program growth;

21 (4) takes into consideration local taxing authority for credit hours  
22 generated by in-district students; and

23 (5) includes other factors and considerations as deemed necessary or  
24 advisable by the state board. The state board shall establish the rates to be  
25 used as the state's share in a given year, as well as in the actual  
26 distribution.

27 (b) *In each fiscal year, each community college, technical college and*  
28 *the Washburn institute of technology is eligible for postsecondary non-*  
29 *tiered education state aid from the state general fund for postsecondary*  
30 *non-tiered course credit hours approved by the state board and delivered*  
31 *by the institution to students who are residents of the state of Kansas, in an*  
32 *amount determined by the state board. The state board shall establish the*  
33 *rates to be used as the state's share in a given year, as well as in the actual*  
34 *distribution.*

35 (c) For purposes of K.S.A. 71-1801 through 71-1810, and  
36 amendments thereto, residency for all community college students shall be  
37 determined in accordance with K.S.A. 71-406 and 71-407, and  
38 amendments thereto, and residency for all technical college and Washburn  
39 institute of technology students shall be determined in accordance with  
40 ~~laws or policies applicable to those institutions~~ *section 1, and amendments*  
41 *thereto.*

42 ~~(e) In fiscal year 2012, any portion of the appropriation for~~  
43 ~~postsecondary tiered technical education state aid that an institution~~

1 ~~actually receives that is in excess of the amount of community college~~  
2 ~~operating grant or postsecondary aid that the institution received for fiscal~~  
3 ~~year 2011 shall be considered new state funds for purposes of K.S.A. 74-~~  
4 ~~3202d, and amendments thereto.~~

5       Sec. 3. K.S.A. 71-1803 is hereby repealed.

6       Sec. 4. This act shall take effect and be in force from and after its  
7 publication in the statute book.