

HOUSE BILL No. 2063

By Committee on Higher Education

1-18

9 AN ACT concerning residency determinations at state educational insti-
10 tutions; concerning appeals from decisions relating thereto.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Whenever authorized personnel in the registrar's office
14 of a state educational institution have determined that an individual qual-
15 ifies as a resident for fee purposes pursuant to subsection (a) of K.S.A.
16 76-729, and amendments thereto, such individual shall be considered as
17 a resident for fee purposes at any state educational institution.

18 (b) In the event facts pertaining to any individual have changed re-
19 garding a necessary element relating to the determination that an indi-
20 vidual qualified as a resident for fee purposes as described in subsection
21 (a), then the original determination shall no longer be binding on any
22 state educational institution.

23 (c) As used in this act, "state educational institution" means the uni-
24 versity of Kansas, Kansas state university of agriculture and applied sci-
25 ences, Wichita state university, Emporia state university, Pittsburg state
26 university and Fort Hays state university.

27 (d) The provisions of this section shall be controlling over any conflict
28 with the provisions of K.A.R. 88-2-1, and amendments thereto.

29 (e) The provisions of this section shall apply retroactively to residence
30 determinations made by registrars' officers from and after January 1,
31 2003, and shall expire on July 1, 2006. The difference between out-of-
32 state tuition paid and the established resident fee shall be refunded to
33 any individual to whom subsection (a) applies.

34 Sec. 2. The chief executive officer of the state board of regents shall
35 appoint an appellate board to hear appeals of residency determinations
36 made pursuant to K.S.A. 76-729, and amendments thereto. Such appel-
37 late board shall be comprised of one person from each of the six state
38 educational institutions specified in section 1. Hearings shall be con-
39 ducted pursuant to the Kansas administrative procedures act. Any person
40 aggrieved by a residency determination at a state educational institution
41 may appeal to the appellate board established pursuant to this section if
42 such appeal is filed within 30 days after receiving written notice of the
43 residency determination. When requested, state educational institutions

1 shall give written determinations of residency determinations and shall
2 notify the individual of their right to appeal the determination pursuant
3 to this section.
4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.