

HB 1383 – AS AMENDED BY THE SENATE

1Feb2012... 0308h

05/02/12 1838s

2012 SESSION

12-2430

08/05

HOUSE BILL **1383**

AN ACT relative to residency status for the purpose of receiving in-state tuition status within the university system of New Hampshire.

SPONSORS: Rep. Duarte, Rock 1; Rep. Mirski, Graf 10; Rep. Tamburello, Rock 3; Rep. Rappaport, Coos 1; Rep. Cox, Merr 6; Rep. Tregenza, Carr 2; Rep. Reagan, Rock 1

COMMITTEE: Education

AMENDED ANALYSIS

This bill requires every student admitted to the university system of New Hampshire after December 31, 2012 and receiving the in-state rate of tuition to execute an affidavit attesting he or she is a legal resident of the United States.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough~~.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to residency status for the purpose of receiving in-state tuition status within the university system of New Hampshire.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Legal Status of Students Receiving In-State Tuition. Amend RSA 187-A:16 by inserting after paragraph XXII the following new paragraph:

XXIII. Require every student admitted after December 31, 2012 and receiving the in-state rate of tuition to execute an affidavit attesting he or she is a legal resident of the United States.

2 Effective Date. This act shall take effect January 1, 2013.

LBAO

12-2430

Amended 03/06/12

HB 1383 FISCAL NOTE

AN ACT relative to residency status for the purpose of receiving in-state tuition status within the university system of New Hampshire.

FISCAL IMPACT:

The University System of New Hampshire states this bill, as amended by the House (Amendment #2012-0308h), may increase state expenditures by an indeterminable amount in FY 2013 and each year thereafter. There is no fiscal impact on state, county, or local revenue, or county or local expenditures.

METHODOLOGY:

The University System of New Hampshire states this bill requires that students receiving in-state tuition status within the System also be legal residents of the United States. The System states this provision will require it to institute a review process to determine if the students at its institutions who receive the in-state rate of tuition are legal residents of the United States. The System assumes this process will entail examination of certain documents, such as birth certificates, passports, naturalization certificates, and permanent resident cards, to prove whether each student is a legal resident. In the initial year this requirement is in effect, the System assumes it will need to verify the residency of the entire student body receiving the in-state tuition rate, or approximately 20,000 students, while in each subsequent year the System assumes it will only need to verify the residency of the incoming class and any transfers. For the 85% of in-state students who qualify for federal financial aid, the System states it would rely on this eligibility to verify the legal United States residency of those students, which would leave the System itself responsible for the verification of the remaining 15%. The system estimates this 15% to represent roughly 3,000 students in the first year, and 1,000 students in each year thereafter. At approximately 10 minutes of review time per student, the System estimates the first year will require a total of roughly 500 hours ($(3,000 \text{ students} \times 10 \text{ minutes}) \div 60 \text{ minutes} = 500 \text{ hours}$) of review and each subsequent year will require a total of roughly 167 hours ($(1,000 \text{ students} \times 10 \text{ minutes}) \div 60 \text{ minutes} = 167 \text{ hours}$) of review. The System states it cannot predict if existing resources at each of its four institutions will be able to handle this additional workload

and the institutions may be required to hire part-time help to accomplish this task. At a salary and benefit rate estimated at \$34.50 per hour for part-time help, the system states the projected additional workload could increase state expenditures by \$17,250 in FY 2013, and \$5,761 in FY 2014 and each year thereafter. The System also states state expenditures could increase by an indeterminable amount due to litigation costs associated with legal claims for incorrect residency determinations.