



# SENATE BILL 295: NC HS Graduation as Evidence of Residency.

2019-2020 General Assembly

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<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	April 18, 2019
<b>Introduced by:</b>	Sen. Tillman	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	First Edition		Committee Counsel

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**OVERVIEW:** *Senate Bill 295 would allow graduation from a North Carolina high school as evidence to rebut the presumption that an individual's residence is the same as the individual's parents for purposes of establishing residency for in-State tuition at North Carolina community colleges and campuses of The University of North Carolina as well as for need-based State grants for both public and private institutions of higher education in the State.*

**CURRENT LAW:** To qualify as a resident for tuition purposes, an individual must have established legal residence (also referred to as domicile) in the State for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. When an individual presents evidence that the individual has living parents or a court-appointed guardian, the legal residence of the parents or guardian is prima facie evidence of the individual's legal residence. This presumption can be reinforced or rebutted relative to the age and general circumstances of the individual by other evidence of legal residence. The legal residence of an individual whose parents are domiciled outside of the State is not prima facie evidence of the individual's legal residence if the individual has lived in this State for 5 consecutive years prior to enrolling or reregistering at an institution of higher education.

**BILL ANALYSIS:** Senate Bill 295 would allow evidence of graduation from a North Carolina high school to be considered to rebut the presumption that an individual's residence is the same as the individual's parents for purposes of establishing the individual's residency in the State in order to qualify for in-State tuition as well as for need-based State grants for both public and private institutions of higher education in the State.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

**BACKGROUND:** The Residency Determination Service (RDS) was established and implemented at the direction of the General Assembly and was a collaboration of The University of North Carolina, the North Carolina Community College System, the North Carolina State Education Assistance Authority, and the North Carolina Independent Colleges and Universities. The purpose of RDS is to be the centralized service for determining residency for individuals applying for admission to campuses of The University of North Carolina, North Carolina community colleges, and for need-based State grants for both public and private institutions of higher education in the State.

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