

CHAPTER 64
SB 136 - FINAL VERSION

2019 SESSION

19-0448
04/01

SENATE BILL **136**

AN ACT relative to classification of students for tuition purposes in the university system.

SPONSORS: Sen. Kahn, Dist 10; Sen. Fuller Clark, Dist 21; Rep. Hatch, Coos 6; Rep. McGuire,
Merr. 29

COMMITTEE: Education and Workforce Development

ANALYSIS

This bill removes the rulemaking requirement for the adoption of criteria by the university system board of trustees governing the classification of students for tuition purposes.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to classification of students for tuition purposes in the university system.

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

1 64:1 University System Board of Trustees; Authority of Trustees. Amend RSA 187-A:16, XIX to
2 read as follows:

3 XIX. ~~[Adopt rules pursuant to RSA 541-A establishing]~~ **Establish** criteria for determining
4 whether students shall be classified as in-state students or out-of-state students for tuition purposes,
5 and to delegate the administration of such ~~[rules]~~ **criteria** to a subcommittee or agent. Any student
6 in the university system who is aggrieved by a final determination of the board of trustees or of any
7 subcommittee or agent of the board denying in-state status for tuition purposes may appeal to the
8 superior court in the county in which the particular division of the university involved is located.
9 Such appeal shall be filed within 30 days after the final determination by the board of trustees. In
10 the superior court, the burden of proof shall be on the appellant to show that the determination of
11 the board of trustees is unreasonable or unlawful and all findings by the board or its properly
12 designated subcommittee or agent shall be deemed to be prima facie lawful and reasonable. The
13 determination of the board of trustees shall be set aside only if, on all the evidence, the court is
14 satisfied that it is unlawful or unreasonable according to the ~~[policy]~~ **criteria** as set forth in this
15 section, and additional criteria as may be established and published, to the student bodies of the
16 institutions constituting the university system by the board of trustees.

64:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 05, 2019
Effective Date: August 04, 2019