**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4136**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Burns, Haddon, Long and Chumley

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Introduced in the House on March 13, 2023

Currently residing in the House Committee on **Ways and Means**

Summary: College tuition rates

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/13/2023 House Introduced and read first time (House Journal‑page 4)

 3/13/2023 House Referred to Committee on **Ways and Means** (House Journal‑page 4)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4136&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/13/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4136_20230313.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-112-20, RELATING TO THE DETERMINATION OF IN-STATE TUITION RATES FOR PUBLIC COLLEGES, UNIVERSITIES, AND TECHNICAL COLLEGES IN THIS STATE, SO AS TO PROVIDE ALL OUT-OF-STATE STUDENTS ARE INELIGIBLE for IN-STATE TUITION RATES UNLESS THEY LIVE IN COUNTIES ABUTTING THE COUNTY IN THIS STATE IN WHICH THE INSTITUTION THEY WANT TO ATTEND IS LOCATED AND THE STATE IN WHICH THEY LIVE RECIPROCATES; BY REPEALING SECTION 59-112-70 RELATING TO ABATEMENTS AND WAIVERS FROM IN-STATE TUITION REQUIREMENTS; BY REPEALING SECTION 59-112-110 RELATING TO IN-STATE TUITION RATES FOR GEORGIA RESIDENTS ATTENDING CERTAIN PUBLIC INSTITUTIONS IN AIKEN COUNTY; BY REPEALING SECTION 59-112-120 RELATING TO IN-STATE TUITION AT TECHNICAL COLLEGES FOR BORDERING STATE RESIDENTS; BY REPEALING SECTION 59-112-130 RELATING TO FEE WAIVERS FOR OUT-OF-STATE STUDENTS ATTENDING A PUBLIC LAW SCHOOL IN THIS STATE; AND BY REPEALING SECTION 59-112-140 RELATING TO IN-STATE TUITION RATES FOR PERSONS ATTENDING THE CATERPILLAR DEALER ACADEMY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-112-20 of the S.C. Code is amended to read:

 Section 59-112-20. South Carolina domicile for tuition and fee purposes shall be established as follows in determinations of rates of tuition and fees to be paid by students entering or attending State Institutions:

 (A) Independent persons who reside in and have been domiciled in South Carolina for a period of no less than twelve months with an intention of making a permanent home therein, and their dependents, may be considered eligible for in-state rates.

 (B) Independent persons who reside in and have been domiciled in South Carolina for fewer than twelve months but who have full-time employment in the State, and their dependents, may be considered eligible for in-state rates for as long as such independent person is employed on a full-time basis in the State.

 (C) Where an independent person meeting the provisions of Section 59-112-20 B above, is living apart from his spouse, or where such person and his spouse are separated or divorced, the spouse and dependents of such independent person shall have domiciliary status for tuition and fee purposes only under the following circumstances:

 (1) if the spouse requesting domiciliary status for tuition and fee purposes remains domiciled in South Carolina although living apart or separated from his or her employed spouse;

 (2) if the dependent requesting domiciliary status for tuition and fee purposes is under the legal custody or guardianship, as defined in Section 59-112-10 (I) above, of an independent person who is domiciled in this State; or if such dependent is claimed as an income tax exemption by the parent not having legal custody but paying child-support, so long as either parent remains domiciled in South Carolina.

 (D) The residence and domicile of a dependent minor shall be presumed to be that of the parent of such dependent minor.

 (E) Independent persons who reside in and are domiciled in Chatham-Effingham and Bryan County Georgia, and their dependents, may be considered eligible for in-state rates for as long as the Georgia Board of Regents offers its Georgia Tuition Program by which it grants in-state tuition to students residing in the Beaufort and Jasper county area. Except as otherwise provided in this chapter, all persons domiciled outside of this State are ineligible for in-state tuition rates at a state institution, as defined in Section 59-112-10(A), unless:

 (1) the person is domiciled in a county that:

 (a) is located in another state; and

 (b) abuts the county where the state institution is located; and

 (2) a reciprocal agreement exists between this State and the state in which the student is domiciled to provide in-state tuition rates to students domiciled in this State who want to attend a college, university, or technical college located in a county adjacent to the county in this State where the student is domiciled.

SECTION 2. Sections 59-112-70, 59-112-110, 59-112-120, 59-112-130, and 59-112-140 of the S.C. Code are repealed.

SECTION 3. This act takes effect upon approval by the Governor.

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