

CHAPTER 383

AN ACT concerning higher education and supplementing chapter 62 and chapter 71B of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:71B-2.2 Short title.

1. This act shall be known and may be cited as the “Higher Education Citizenship Equality Act.”

C.18A:71B-2.3 Criteria for determining eligibility for State student grant, scholarship.

2. a. A dependent student shall be considered domiciled in this State for the purposes of determining eligibility for a State student grant or scholarship if the student meets the following criteria:

(1) the student is a United States citizen or an eligible noncitizen, as determined under 20 U.S.C. s.1091;

(2) the student and the student’s parent have resided in the State for a period of not less than 12 consecutive months immediately prior to the academic period for which State student assistance is being requested; and

(3) the student’s parent or guardian provides the Higher Education Student Assistance Authority, upon request, with documentation to verify income and assets.

b. Any procedures and forms established by the Higher Education Student Assistance Authority and the Secretary of Higher Education for the purposes of this section shall not discriminate against eligible students based on the immigration status or national origin of the student or the student’s parent or guardian.

c. Nothing in this section shall be construed to affect the eligibility for a State student grant or scholarship of any student who does not meet the requirements of this section but is otherwise eligible for State student assistance in accordance with law or regulation.

C.18A:62-4.5 Eligibility for resident undergraduate tuition rate.

3. a. A dependent student shall be considered domiciled in this State for the purposes of determining eligibility for the resident undergraduate tuition rate at a public institution of higher education if the student meets the following criteria:

(1) the student is a United States citizen; and

(2) the student has resided in the State for a period of not less than 12 consecutive months before first enrolling in a public institution of higher education and, in the case of a county college student, resides in the county sponsoring the college before first enrolling at the college.

b. A dependent student may not establish eligibility for the resident undergraduate tuition rate pursuant to subsection a. of this section if the student’s parent or guardian has not lived in this State for a period of at least 12 consecutive months immediately prior to the student’s initial enrollment in a public institution of higher education.

c. Nothing in this section shall be construed to affect the eligibility for the resident undergraduate tuition rate of any student who does not meet the requirements of this section but is otherwise eligible for the resident undergraduate tuition rate at a public institution of higher education in accordance with law or regulation.

4. This act shall take effect immediately and shall first be applicable to the determination of State student assistance and eligibility for the resident undergraduate tuition rate for the 2020-2021 academic year.

Approved January 21, 2020.