

AMENDMENTS TO LB6

Introduced by Education.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 85-502, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 85-502 Rules and regulations established by the governing board of
6 each state postsecondary educational institution shall require as a
7 minimum that a person is not deemed to have established a residence in
8 this state, for purposes of sections 85-501 to 85-504, unless:

9 (1) Such person is of legal age or is an emancipated minor and has
10 established a home in Nebraska where he or she is habitually present for
11 a minimum period of one hundred eighty days, with the bona fide intention
12 of making this state his or her permanent residence, supported by
13 documentary proof;

14 (2) The parents, parent, or guardian having custody of a minor
15 registering in the educational institution have established a home in
16 Nebraska where such parents, parent, or guardian are or is habitually
17 present with the bona fide intention to make this state their, his, or
18 her permanent residence, supported by documentary proof. If a student has
19 matriculated in any state postsecondary educational institution while his
20 or her parents, parent, or guardian had an established home in this
21 state, and the parents, parent, or guardian ceases to reside in the
22 state, such student shall not thereby lose his or her resident status if
23 such student has the bona fide intention to make this state his or her
24 permanent residence, supported by documentary proof;

25 (3) Such student is of legal age and is a dependent for federal
26 income tax purposes of a parent or former guardian who has established a
27 home in Nebraska where he or she is habitually present with the bona fide

1 intention of making this state his or her permanent residence, supported
2 by documentary proof;

3 (4) Such student is a nonresident of this state prior to marriage
4 and marries a person who has established a home in Nebraska where he or
5 she is habitually present with the bona fide intention of making this
6 state his or her permanent residence, supported by documentary proof;

7 (5) Except as provided in subdivision (9) of this section, such
8 student, if an alien, has applied to or has a petition pending with the
9 United States Immigration and Naturalization Service to attain lawful
10 status under federal immigration law and has established a home in
11 Nebraska for a period of at least one hundred eighty days where he or she
12 is habitually present with the bona fide intention to make this state his
13 or her permanent residence, supported by documentary proof;

14 (6) Such student is a staff member or a dependent of a staff member
15 of the University of Nebraska, one of the Nebraska state colleges, or one
16 of the community college areas who joins the staff immediately prior to
17 the beginning of a term from an out-of-state location;

18 (7)(a) (7) Such student is on active duty with the armed services of
19 the United States and has been assigned a permanent duty station in
20 Nebraska; ~~or~~

21 (b) Such student is a spouse or legal dependent of a person who was
22 on active duty with the armed services of the United States assigned to a
23 permanent duty station in Nebraska at the time such student was accepted
24 for admission to the state postsecondary educational institution and such
25 student remains continually enrolled at such state postsecondary
26 educational institution;

27 (8) Such student is currently serving in the Nebraska National
28 Guard; or

29 (9)(a) Such student resided with his or her parent, guardian, or
30 conservator while attending a public or private high school in this state
31 and:

1 (i) Graduated from a public or private high school in this state or
2 received the equivalent of a high school diploma in this state;

3 (ii) Resided in this state for at least three years before the date
4 the student graduated from the high school or received the equivalent of
5 a high school diploma;

6 (iii) Registered as an entering student in a state postsecondary
7 educational institution not earlier than the 2006 fall semester; and

8 (iv) Provided to the state postsecondary educational institution an
9 affidavit stating that he or she will file an application to become a
10 permanent resident at the earliest opportunity he or she is eligible to
11 do so.

12 (b) If the parent, guardian, or conservator with whom the student
13 resided ceases to reside in the state, such student shall not lose his or
14 her resident status under this subdivision if the student has the bona
15 fide intention to make this state his or her permanent residence,
16 supported by documentary proof.

17 Sec. 2. Original section 85-502, Revised Statutes Cumulative
18 Supplement, 2018, is repealed.