**A** **BILL**

TO AMEND SECTION 59‑112‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DOMICILE STATUS FOR OBTAINING IN‑STATE TUITION RATES AND FEES, SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY NOT CHARGE APPLICATION FEES TO IN‑STATE RESIDENTS, AND TO MAKE THESE PROVISIONS APPLICABLE JULY 1, 2020.

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

SECTION 1. Section 59‑112‑20 of the 1976 Code is amended to read:

“Section 59‑112‑20. (A) South Carolina domicile for tuition and fee purposes ~~shall~~ must be established as follows in determinations of rates of tuition and fees to be paid by students entering or attending state institutions:

(~~A~~1) 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~~2) 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~~3) Where an independent person meeting the provisions of ~~Section 59‑112‑20 B above~~ item (2), 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~~a) 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~~b) 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~~ child support, so long as either parent remains domiciled in South Carolina.

(~~D~~4) The residence and domicile of a dependent minor ~~shall~~ must be presumed to be that of the parent of such dependent minor.

(~~E~~5) 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.

(B) A state institution may not charge an application fee to an applicant for admission who is considered domiciled in South Carolina under the provisions of subsection (A).”

SECTION 2. This act takes effect July 1, 2020.

‑‑‑‑XX‑‑‑‑