**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3298**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Burns and Henegan

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Introduced in the House on January 10, 2023

Currently residing in the House Committee on **Education and Public Works**

Summary: In-state tuition rates

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Education and Public Works**

 1/10/2023 House Introduced and read first time (House Journal‑page 125)

 1/10/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 125)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3298&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3298_20221208.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 59‑112‑10, relating to Definitions concerning the Determination of Rates of Tuition and Fees in public institutions of higher learning, so as to provide additional factors to consider when determining the domicile of a person; and by adding Section 59‑112‑15 so as to provide the means for determining the domicile of a person for tuition rate purposes is not affected by temporary absences from a domiciliary state solely for employment‑related purposes.

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

SECTION 1. Section 59‑112‑10(D) of the S.C. Code is amended to read:

 (D) The word “domicile” shall mean a person's true, fixed, principal residence and place of habitation; it shall indicate the place where such person intends to remain, and to which such person expects to return upon leaving without establishing a new domicile in another state. For purposes of this section one may have only one legal domicile; one is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for students at State Institutions shall be presumed not to be a place of principal residence, as residency in such housing is by nature temporary. When determining a person’s domicile, one must look to the totality of the circumstances and consider the following factors:

 (1) a person’s address reported on income tax returns or related filings;

 (2) a person’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(c);

 (3) a person’s physical mailing address;

 (4) a person’s address listed on driver’s license or other state identification issued by the Department of Motor Vehicles;

 (5) a person’s address listed on legal and financial documents;

 (6) a person’s address listed on a motor vehicle registration;

 (7) a person’s address utilized for membership in clubs and organizations;

 (8) the location of an owner’s personal property; and

 (9) whether a person temporarily relocated due to medical care for himself, herself, or a member of his or her immediate family.

SECTION 2. Chapter 112, Title 59 of the S.C. Code is amended by adding:

 Section 59‑112‑15. Temporary absence from one’s domiciliary state solely because of employment does not cause a change of domicile for the purposes of this chapter.

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

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