Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Any individual who is a refugee or special immigrant visa holder who has not previously established residence in any state or territory of the United States or the District of Columbia other than Kansas and is enrolled or has been accepted for admission at a postsecondary educational institution as a postsecondary student shall be deemed to be a resident of Kansas for the purposes of tuition and fees for attendance at such postsecondary educational institution.

(b) As used in this section:

(1) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.

(2) "Refugee" means an individual who is granted refugee status for admission to the United States by the United States citizenship and immigration services.

(3) "Special immigrant visa holder" means an individual who is granted humanitarian parole or temporary protected status by the United States department of homeland security or other federal agency.

(c) This section shall not apply to any individual who:

(1) Has a valid student visa; or

(2) at the time of enrollment, has residency status for purposes of payment of fees and tuition at a public postsecondary educational institution located in another state.

Sec. 2. K.S.A. 76-729 is hereby amended to read as follows: 76-729.

(a) (1) Persons enrolling at the state educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes. A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or
country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 60 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.

(2) The provisions of this subsection shall not apply to a person who is deemed a resident for fee purposes pursuant to K.S.A. 76-731a, and amendments thereto, and section 1, and amendments thereto.

(b) The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees:

(1) Persons who are employees of a state educational institution;
(2) Persons having special domestic relations circumstances;
(3) Persons who have lost their resident status within six months of enrollment;
(4) Persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the state board of education within six months of enrollment, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who are entitled to admission at a state educational institution pursuant to K.S.A. 76-717b, and amendments thereto; or
(5) Persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of subsection (a), and who are not otherwise eligible for authorization to pay an amount equal to resident fees under this subsection.

(c) Pursuant to K.S.A. 2022 Supp. 48-3601, and amendments thereto, a veteran, an active duty member of the armed forces and the spouse and dependent child of such veteran or active duty member of the armed forces shall be deemed residents of the state for fee purposes.

(d) As used in this section:

(1) "Parents" means and includes natural parents, adoptive parents, stepparents, guardians and custodians.
(2) "Guardian" has the meaning ascribed thereto by means the same as defined in K.S.A. 59-3051, and amendments thereto.
(3) "Custodian" means a person, agency or association granted legal custody of a minor under the revised Kansas code for care of children.
(4) "Domiciliary resident" means a person who has present and fixed residence in Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.
"Full-time employment" means employment requiring at least 1,500 hours of work per year.

"Dependent" means:

(A) A birth child, adopted child or stepchild; or

(B) any child other than the foregoing who is actually dependent in whole or in part on the person in military service and who is related to such individual by marriage or consanguinity.

"Academic year" means the twelve-month period ending June 30.

Sec. 3. K.S.A. 76-729 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.