

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1061**

Introduced by Murman, 38; Clements, 2; Lonowski, 33; Meyer, G., 17; Sanders, 45; Sorrentino, 39; Storm, 23.

Read first time January 14, 2026

Committee:

1 A BILL FOR AN ACT relating to postsecondary education; to amend section  
2 85-502, Reissue Revised Statutes of Nebraska; to change residence  
3 requirements relating to tuition and fees at state postsecondary  
4 educational institutions; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Section 85-502, Reissue Revised Statutes of Nebraska, is  
2       amended to read:

3           85-502 Rules and regulations established by the governing board of  
4       each state postsecondary educational institution shall require as a  
5       minimum that a person is not deemed to have established a residence in  
6       this state, for purposes of sections 85-501 to 85-504, unless:

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

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

23          (3) Such student is of legal age and is a dependent for federal  
24       income tax purposes of a parent or former guardian who has established a  
25       home in Nebraska where he or she is habitually present with the bona fide  
26       intention of making this state his or her permanent residence, supported  
27       by documentary proof;

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

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

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

13       (7)(a) Such student is on active duty with the armed services of the  
14   United States and has been assigned a permanent duty station in Nebraska;  
15   or

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

22       (8) Such student is currently serving in the Nebraska National  
23   Guard; or

24       (9)(a) Such student resided with his or her parent, guardian, or  
25   conservator while attending a public, private, denominational, or  
26   parochial high school in this state or a school in this state which  
27   elects pursuant to section 79-1601 not to meet accreditation or approval  
28   requirements and:

29       (i) Graduated from a public, private, denominational, or parochial  
30   high school in this state, completed the program of instruction offered  
31   by a school in this state which elects pursuant to section 79-1601 not to

1    ~~meet accreditation or approval requirements, or received a diploma of~~  
2    ~~high school equivalency issued pursuant to section 79-730;~~

3        ~~(ii) Resided in this state for at least three years before the date~~  
4    ~~the student graduated from the high school, completed the program of~~  
5    ~~instruction, or received the diploma of high school equivalency;~~

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; or~~

17        ~~(9) (10) Such student is qualified for a national service~~  
18   ~~educational award or summer of service educational award from the~~  
19   ~~National Service Trust pursuant to 42 U.S.C. 12602, as such section~~  
20   ~~existed on January 1, 2021.~~

21        **Sec. 2.**    Original section 85-502, Reissue Revised Statutes of  
22   Nebraska, is repealed.