

State Bills on Access to Education for Immigrants – 2013

NOVEMBER 19, 2013

THIS TABLE LISTS some of the state bills that address access to higher education for immigrant students. It includes bills that would improve access by providing in-state tuition rates to a state's high school graduates, regardless of their status, or by increasing access to financial aid or scholarships. It also lists bills that seek to restrict access to education by banning enrollment, in-state tuition, or by creating other barriers to postsecondary education for immigrant students. Because there may be legislative activity in a few states in the coming weeks, the information in this table is subject to change. Please contact Tanya Broder (broder@nilc.org) if you have additions or revisions to offer.

Improving Access to Higher Education: Tuition Equity, Scholarships, and Financial Aid

Tuition equity bills generally allow students who attend high school in a state, graduate and meet other criteria, to pay in-state tuition rates, regardless of their immigration status. Also listed below are measures providing access to state financial aid, scholarships, as well as other efforts to improve or restore access to education for students who attend a state's high schools.

STATE	NO.	AUTHOR	DESCRIPTION OF BILL	STATUS
AZ	HCR 2012 SCR 1003	Quezada Gallardo	Would submit referendum to voters that provides access to adult education, in-state tuition, and financial aid to students who meet certain criteria, regardless of their status.	<i>Held pending first reading</i> Senate Rules
AR	SB 915	Elliott	Allows universities to charge in-state tuition rates to students who meet certain criteria, regardless of their status.	Senate Education Committee, <i>died in Senate</i>
CA	SB 150	Lara	Allows community college districts to exempt certain part-time students, such as those concurrently enrolled in high school, regardless of their status, from all or part of the fees charged to non-residents. Requires community college districts to exempt students described in SB 141 if both measures become law.	Governor signed on October 5, 2013
CA	SB 141	Correa	U.S. citizen children who left the country due to a parent's deportation or voluntary departure, had lived in CA prior to departing, attended 3 or more years of elementary or secondary school in CA, and demonstrate financial need, may qualify for in-state tuition and state financial aid during the first year at a CA community college or state university; requests that the UC Board of Regents adopt a similar policy.	Governor signed on October 5, 2013
CO	SB 33	S: Giron, Johnston; H: Duran, Williams	Students who meet certain criteria, regardless of status may be eligible for in-state tuition, institutional or other private financial aid programs for higher education.	Governor signed on April 29, 2013

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STATE	NO.	AUTHOR	DESCRIPTION OF BILL	STATUS
CT	SB 475	Ayala	Students eligible to pay in-state tuition may be eligible for tuition waivers, tuition remissions, educational grants and student employment, if otherwise eligible.	Joint Committee on Higher Education and Employment Advancement
FL	SB 275	Torres	In-state tuition for students who meet certain criteria, regardless of their status	Filed Nov. 6, 2013
FL	SB 300	Bullard	In-state tuition for students who meet certain criteria, regardless of their status	Filed October 21, 2013; Referred to Education; Judiciary; Appropriations
FL	HB 205	Rodriguez	US citizen children may not be denied classification as a resident for tuition purposes based solely on the immigration status of their parents; alters residency documentation requirements for U.S. citizens who meet certain criteria.	Filed October 23, 2013
FL	HB 7051	Higher Ed & Workforce Committee	US citizen children may not be denied classification as a resident for tuition purposes based solely on the immigration status of their parents; alters residency documentation requirements for U.S. citizens who meet certain criteria.	House passed (111-4) on April 12, 2013; Senate Education, Judiciary and Appropriations <i>died in Committee</i>
FL	SB 624 HB 1113	Bullard Rodriguez	In-state tuition for students who meet certain criteria, regardless of their status	Introduced <i>died in Committee</i> Higher Education and Workforce <i>died in Committee</i>
FL	SB 180	Flores	Students who are U.S. citizens or LPRs who attend FL high school for 4 consecutive years and apply for college within a year after graduating can qualify as residents for tuition purposes, regardless of their parents' status	Introduced <i>died in Committee</i>
FL	HB 17	Trujillo & Diaz	Students who are U.S. citizens, LPRs or "qualified" legal non-citizens who attend FL high school for 4 consecutive years, and apply for college within a year after graduating, can qualify as residents for tuition purposes, regardless of their parents' status	Higher Education and Workforce <i>died in Committee</i>
FL	HB 11	Fullwood Rogers; Berman; Campbell; Pafford	Confirms that U.S. citizen students can qualify as a resident for tuition purposes, regardless of their parents' status	Higher Education and Workforce <i>died in Committee</i>
FL	HB 29	Brodeur, Cummings et al.	U.S. citizens who attend high school in FL for at least a year can qualify for in-state tuition	Introduced <i>died in Committee</i>
FL	SB 268	Abruzzo	Citizens may not be denied in-state tuition based on their parents' status.	Introduced <i>died in Committee</i>

STATE	NO.	AUTHOR	DESCRIPTION OF BILL	STATUS
IN	SB 420	Rogers	In-state tuition for students who meet certain criteria regardless of their status.	Education and Career Development Committee
IN	SB 207	Sen: Leising, Yoder House: Kubacki et al.	Verification of status not required for students enrolled in state postsecondary educational institutions as of July 1, 2011 otherwise eligible to pay in-state tuition rates; no verification required for students with lawful status seeking grants, scholarships or financial aid.	Governor signed on May 7, 2013
IA	SF 80	Bolkcom et al.	Students who meet certain criteria can qualify for in-state tuition and fees, regardless of their status	Education committee
MD	HB 871	Kaiser	Ensures that high school students who are dually enrolled in a MD college can pay in-state tuition rates if they meet certain criteria, regardless of their status	Ways and Means, <i>hearing 3/19/13</i>
MA	H1078 S 577	Provost & Forry Chang-Diaz	In-state tuition for students who meet certain criteria, regardless of their status	Joint Committee on Higher Education
MI	HB 4618	Irwin et al.	In-state tuition for students granted DACA who attended high school in Michigan for at least 3 years and who meet certain other criteria.	Government Operations
MN	SF 723 HF 875	Pappas Mariani et al.	In-state tuition and private institutional scholarships for students who meet certain criteria, regardless of their status	Passed Senate (41-23) on May 1. Higher Education Finance and Policy - <i>incorporated into higher education appropriations bill.</i>
MN	SF 1236		Omnibus higher education appropriations bill, which includes: In-state tuition and private institutional scholarships for students who meet certain criteria, regardless of their status	Governor signed on May 24, 2013
MS	SB 2284	Frazier	MS Students with 3.0 GPA in high school shall be eligible for a scholarship equal to full cost of tuition at any state college or community college, regardless of the student's immigration status;	Universities and Colleges; Appropriations; <i>died in committee</i>
MS	HB 1461	Dickson	In-state tuition and state financial aid for students who meet certain criteria, including those on student or other temporary visas, as well as undocumented students.	Universities and Colleges; Appropriations; <i>died in committee</i>
MO	SB209	Justus	In-state tuition for students who meet certain criteria, regardless of their status.	Senate Education
MO	HB 873	Dunn et al	Access to in-state tuition and fees for students who meet certain criteria, regardless of their status; bans public higher education institutions from denying admission to eligible students based on immigration status	Higher Education

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MO	HB 972	Morgan	Access to in-state tuition and fees for students who meet certain criteria, regardless of their status; bans public higher education institutions from denying admission to eligible students based on immigration status	Higher Education
NH	HB474	Schmidt	Access to in-state tuition rates for students who meet certain criteria, regardless of their status.	House Education Committee report filed Nov. 15, 2013; House to vote in January 2014
NJ	S 2479 A 3509	Ruiz, Pou Johnson & Vainieri Huttle	In-state tuition and state financial aid for students who meet certain criteria, regardless of their status..	Passed Senate (25-12) on Nov. 18, 2013; to Assembly Higher Education Committee
NJ	A4225	Johnson	In-state tuition for students who meet certain criteria, regardless of their status	Passed Assembly Budget Committee (8-4) on June 17
NJ	A3162 S1760	Caride et al Ruiz et al	U.S. citizens who have resided in New Jersey for 12 months can establish domicile for purposes of in-state tuition, loans, grants and scholarships, if their parents/guardians filed New Jersey and federal tax returns in the past year, and lived in NJ during the previous 12 months, regardless of the parent's/guardian's immigration status.	Passed Assembly Budget Committee (12-0), June 17; Assembly Higher Education Passed Senate Higher Education (3-0) May 14 th ; Senate Budget and Appropriations committee
NJ	A1659 S2355	Johnson, Vainieri Quijano Ruiz, Cunningham	In-state tuition for students who meet certain criteria, regardless of their status.	Assembly Higher Education Senate Higher Education
NY	A2597 S2378	Silver, Moya, Glick et al. Peralta	Establishes DREAM Fund Commission to create private scholarships for children of immigrants, and to provide access to college savings accounts, state financial aid and opportunity programs for students who meet certain criteria, regardless of their status	Passed Assembly (90-48) on May 21; Senate Higher Education, <i>held in committee</i>
NY	SB 4079	Espallat & Klein	Establishes DREAM Fund Commission to create private scholarships for children of immigrants, and to provide access to college savings accounts, and opportunity programs for students who meet certain criteria, regardless of their status	Senate Higher Education, <i>enacting clause stricken</i>
NY	S 1567	Perkins	State financial aid for DACA grantees and certain non-resident citizens, LPRs and immigrants who are eligible for in-state tuition.	Senate Higher Education Committee

STATE	NO.	AUTHOR	DESCRIPTION OF BILL	STATUS
NY	S 1747	Espaillet & Perkins	State financial aid at SUNY, CUNY and community colleges for students who meet certain criteria regardless of status	Senate Higher Education Committee
NY	A 22	Moya et al.	State financial aid for students who meet certain criteria, regardless of their status.	Governmental Operations
	S 1257A	Perkins et al.	State and local financial aid for students who meet certain criteria, regardless of their status.	Higher Education Committee
NY	S 1832 S 3953A	Espaillet Klein Espaillet	Establishes DREAM Fund Commission to create private scholarships and identify educational opportunities for children of immigrants.	Senate Higher Education, <i>enacting clause stricken</i>
NC	HB 904	Luebke	Access to in-state tuition for students who meet certain criteria regardless of their status	Education Committee; if favorable, to Appropriations
OR	HB 2787 SB10	Dembro et. al Courtney	Access to in-state tuition for students who meet certain criteria, regardless of their status.	Governor signed on April 2, 2013
PA	SB 713	Smucker et. al	Access to in-state tuition rates for students who meet certain criteria, regardless of their status.	Senate Education
RI	SB310	Pichardo et. al	Access to in-state tuition for students who meet certain criteria, regardless of their status.	Senate Finance Committee <i>hearing May 14</i>
RI	HB 5917	Diaz et. al	Access to in-state tuition for students who meet certain criteria, regardless of their status.	House Finance, <i>held for further study</i>
VA	HB 1525	Rust	Allows students granted DACA who meet certain criteria to be eligible for in-state tuition during the period of deferred action.	Committee on Education reported 17-4, as amended on 1/31/13; <i>left in Appropriations 2/5/13</i>
VA	HB 1934	Lopez	Allows students who meet certain criteria to be eligible for in-state tuition, regardless of their status.	Committee on Education Subcommittee - <i>incorporated into HB 1525 on 1/29/13</i>
VA	HB 1490	Kory	Access to in-state tuition for DACA grantees who meet certain criteria.	Committee on Education Subcommittee <i>incorporated into HB 1525 on 1/29/13</i>
VA	HB 2159	Lopez	Access to in-state tuition for DACA grantees who meet certain criteria.	Higher Education Subcommittee <i>incorporated into HB 1525 on 1/29/13</i>

STATE	NO.	AUTHOR	DESCRIPTION OF BILL	STATUS
VA	SB 1233	Ebbin	Access to in-state tuition for DACA grantees who meet certain criteria.	Committee on Education and Health, <i>incorporated into SB 1090.</i>
VA	SB 1090	McEachin	Access to in-state tuition for students who meet certain criteria, regardless of their status.	Committee on Education and health, <i>failed to report on 1/31/13 (7-8)</i>
WA	HB 1817	Hudgins, Chandler et al.	Access to state needs grants for students who graduate from a WA high school or have lived in WA for 3 years, are granted DACA and meet certain other criteria.	Passed House (77-20) on March 14; Senate Higher Education hearing March 28; <i>reintroduced in special session</i>
WA	HB 1998	Hudgins et al.	Access to state needs grants for students who graduate from a WA high school or have lived in WA for 3 years, are granted DACA and meet certain other criteria.	Higher Education <i>reintroduced in special session</i>
WA	SB 5655	Murray et al	State needs grants and college bound scholarships for students who meet certain criteria, regardless of their status.	Higher Education <i>reintroduced in special session</i>

Bills Restricting Access to Post-Secondary Education

Includes proposals to ban enrollment in higher education, repeal in-state tuition laws, and restrict financial aid, in-state tuition, grants or scholarships.

STATE	BILL NO.	AUTHOR(S)	DESCRIPTION AND BILL TEXT	STATUS
CT	HB 5056	Davis	Requires undocumented students to pay full price of admission to higher education institutions.	Higher Education and Employment Advancement
KS	HB 2192	Committee on Federal and State Affairs	Students who are not lawfully present in the U.S. cannot qualify to pay in-state tuition rates.	Committee on Federal and State Affairs <i>hearing March 20; failed to make crossover deadline</i>
MA	H1073	Lyons-Lombardo	Denies in-state tuition to students who are neither U.S. citizens nor lawful permanent residents.	Joint Committee on Higher Education
NY	S3477	Libous	Requires students granted in-state tuition rates at the state university or community colleges, to have continuously resided in the state during high school or while preparing for the general equivalency diploma examination.	Senate Higher Education Committee

STATE	BILL NO.	AUTHOR(S)	DESCRIPTION AND BILL TEXT	STATUS
NC	HB 218	Cleveland et al.	<i>Bans admission</i> to community colleges or universities for students who do not have a “lawful immigration status under federal law”	Committee on Education
OH	HB 254	Lynch, Retherford	Would exclude from residency status individuals who are not U.S. citizens or nationals and who have not been granted the right by USCIS to reside permanently and to work without restrictions in the US.	Committee on Education
TN	SB 6	Summerville	Students seeking HOPE scholarships or access grants must pass USCIS naturalization tests on English and civics to be eligible	Senate Education General Subcommittee
TX	HB 122	Larson, Springer , Fallon	Prohibits students who are not authorized by federal law to be in the U.S. from paying in-state tuition	State Affairs Committee
TX	HB 180	Zedler	Would repeal TX tuition equity law	State Affairs Committee
TX	SB 437	Birdwell	Prohibits students who are not authorized to be present in the U.S. from paying in-state tuition; grandfathers certain students who have sufficient credits.	Higher Education Committee
WA	SB 5087	Benton, Sheldon	Would repeal WA tuition equity law	Higher Education Committee
WA	HB 1881	Dahlquist	Repeals provision granting certain non-immigrants with E, H, or L status eligibility for qualifying for resident tuition	Higher Education Committee