



House of Representatives

File No. 875

General Assembly

January Session, 2015

(Reprint of File No. 416)

House Bill No. 6844
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 21, 2015

AN ACT CONCERNING IN-STATE TUITION ELIGIBILITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (9) of section 10a-29 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2015*):

4 (9) In accordance with 8 USC 1621(d), a person, other than a
5 nonimmigrant alien as described in [8 USC 1101(a)(15)] 8 USC
6 1101(a)(15)(A) to 8 USC 1101(a)(15)(S), inclusive, and 8 USC
7 1101(a)(15)(V), shall be entitled to classification as an in-state student
8 for tuition purposes, (A) if such person (i) resides in this state, (ii)
9 attended any educational institution in this state and completed at
10 least [four] two years of high school level education in this state, (iii)
11 graduated from a high school in this state, or the equivalent thereof,
12 and (iv) is registered as an entering student, or is enrolled at a public
13 institution of higher education in this state, and (B) if such person is
14 without legal immigration status, such person files an affidavit with
15 such institution of higher education stating that he or she has filed an

- 16 application to legalize his or her immigration status, or will file such an
- 17 application as soon as he or she is eligible to do so.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10a-29(9)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill results in no fiscal impact to the state as the University of Connecticut and the Connecticut State University System have the ability to adjust the ratio of in-state to out-of-state students and therefore charging students impacted by the bill in-state rates can be made revenue neutral. The Regional Community Technical College System have no persons impacted by the bill being charged out-of-state tuition and therefore are not impacted by the bill.

House "A" (LCO 7015) is technical and results in no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6844 (as amended by House "A")******AN ACT CONCERNING IN-STATE TUITION ELIGIBILITY.*****SUMMARY:**

This bill reduces, from four years to two, the number of years of high school education that certain students must complete in Connecticut to receive in-state tuition benefits at the state's public higher education institutions.

The bill also extends in-state tuition eligibility to nonimmigrant aliens who, as specified in federal law, (1) are human trafficking victims or (2) have suffered substantial physical or mental abuse as a result of certain criminal activity (8 USC § 1101(a)(15)(T-U)). Such individuals must meet the requirements described below. Under current law, no nonimmigrant aliens are eligible for in-state tuition. (A nonimmigrant alien is a person with a visa permitting temporary entrance to the U.S. for a specific purpose.)

By law, with limited exceptions, eligibility for in-state tuition is based on an applicant's domicile, which is his or her "true, fixed and permanent home" and the place where he or she intends to remain and return to when he or she leaves (CGS § 10a-28). One of the exceptions allows a person to qualify for in-state tuition if he or she:

1. resides in Connecticut (i.e., maintains a continuous and permanent physical presence, except for short, temporary absences);
2. attended an in-state educational institution and completed at least four years of high school in Connecticut (the bill reduces this to two years);

3. graduated from a high school or the equivalent in Connecticut;
and
4. is registered as an entering student, or is currently a student at, UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

Students without legal immigration status who meet the above criteria must file an affidavit with the institution stating that they have applied to legalize their immigration status or will do so as soon as they are eligible.

*House Amendment "A" makes certain nonimmigrant aliens eligible for in-state tuition.

EFFECTIVE DATE: July 1, 2015

BACKGROUND

Related Bill

SB 398 (File 545, as amended by Senate "A"), which the Senate passed, extends, to certain students who lack legal immigration status, eligibility for institutional financial assistance to attend an in-state public higher education institution.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 14 Nay 3 (03/19/2015)