



Testimony on Senate Bill 1563
Senate Education Committee
February 7, 2018

Chair Roblan, Vice-Chair Linthicum, and members of the Committee. My name is Kyle Thomas and I am the Director of Legislative and Policy Affairs for the Higher Education Coordinating Commission. Thank you for the opportunity to testify on Senate Bill 1563.

In addition to changing the documentation requirements a student must meet in order to qualify for tuition equity and state financial aid, this bill, out of an abundance of caution, makes a technical change that ensures the State's current policy of affording tuition equity and state financial aid to undocumented students can continue under federal law. This language is found on page 2, lines 28-30; page 3, lines 44-line 1 of the following page; page 3, lines 8-10, and in the -1 amendment on lines 11-14.

When the original statute regarding tuition equity, to which eligibility for state financial aid is tied, was drafted, it did not provide for an explicit exemption to an important federal statute. This federal statute (8 USC 1621) prohibits states from providing state aid to undocumented persons unless the state passes a law that affirmatively exempts the state from the prohibition. It is the federal statute itself that allows for this affirmative exemption. While it is possible the addition of this language is unnecessary to meet this federal exemption requirement, adding the language clarifies that the state meets the exemption allowed under federal law.

Thank you for your time today.