

House Bill 2640

Sponsored by Representative SANCHEZ; Representative DOHERTY (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that public universities and community colleges must waive all tuition and fees for enrolled students who are members of Native American tribe historically based in Oregon.

Provides that public universities and community colleges must charge no more than resident tuition for enrolled students who are members of Native American tribe not based in Oregon.

A BILL FOR AN ACT

1
2 Relating to the cost for Native Americans of attending public institutions of higher education.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1)(a) Notwithstanding ORS 341.290, 352.102 or 352.105 or any other provision**
5 **of law, a student who is a member of a Native American tribe that is historically based in**
6 **Oregon, as determined by the Higher Education Coordinating Commission by rule, who en-**
7 **rolls in a public institution of higher education as an undergraduate student shall have the**
8 **amount of tuition and all fees levied against the student waived if attending the public in-**
9 **stitution of higher education for purposes of pursuing an initial undergraduate or associate's**
10 **degree.**

11 **(b) A student who is a member of a Native American tribe that is historically based in**
12 **Oregon is entitled to waiver of tuition and all fees under paragraph (a) of this subsection**
13 **until the student has received the equivalent of four years of undergraduate education.**

14 **(c) As a condition of receiving a tuition waiver for an academic year, a student who is a**
15 **member of a Native American tribe that is historically based in Oregon must complete and**
16 **submit the Free Application for Federal Student Aid for that academic year.**

17 **(d) A waiver of tuition and all fees under paragraph (a) of this subsection may be reduced**
18 **by the amount of any federal aid scholarships or grants, an award from the Oregon Oppor-**
19 **tunity Grant program established under ORS 348.205 and any other aid received from the**
20 **public institution of higher education. For the purposes of this paragraph, "federal aid**
21 **scholarships or grants" does not include Chafee Education and Training Grant vouchers (P.L.**
22 **107-133).**

23 **(2) A public institution of higher education shall charge an enrolled student who is not**
24 **a resident of this state and who is attending classes as an undergraduate student state tui-**
25 **tion and fees no greater than the resident rate if the student is a Native American who does**
26 **not qualify as a member of a Native American tribe that is historically based in Oregon un-**
27 **der subsection (1) of this section.**

28 **(3) As used in this section:**

29 **(a) "Native American" means an individual who:**

30 **(A) Is a member of a federally recognized Native American tribe or band, as defined by**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **the tribe or band;**

2 **(B) Is a member of a Native American tribe or band, as defined by the tribe or band, that**
3 **had the tribe or band's federal recognition terminated in 1940 or later;**

4 **(C) Is considered by the United States Secretary of the Interior to be an Indian for any**
5 **purpose; or**

6 **(D) Is a member of a Native American tribe or band, as defined by the tribe or band, that**
7 **received a grant under the Indian Education Act of 1988, as the law was in effect on October**
8 **19, 1994.**

9 **(b) "Public institution of higher education" means:**

10 **(A) A public university listed in ORS 352.002; or**

11 **(B) A community college operated under ORS chapter 341.**

12 **SECTION 2. Section 1 of this 2019 Act first applies to the 2020-2021 academic year.**

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