Senate Bill 859

Sponsored by Senator DEMBROW, Representative HERNANDEZ; Senators FAGAN, GELSER, GOLDEN, MANNING JR, WAGNER, Representatives ALONSO LEON, BARKER, BYNUM, DOHERTY, EVANS, GORSEK, GREENLICK, LIVELY, MARSH, MCLAIN, PILUSO, SCHOUTEN, SMITH WARNER, WILDE, WILLIAMS

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.**

Exempts graduate students at public universities who qualify for tuition equity from having to pay nonresident tuition.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to scope of tuition equity at public universities; creating new provisions; amending ORS 352.287; and declaring an emergency.

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

SECTION 1. ORS 352.287, as amended by section 1, chapter 122, Oregon Laws 2018, is amended to read:

352.287. (1) The governing board of a public university listed in ORS 352.002 shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment **as an undergraduate student and as a graduate student** in a **degree program at a** public university listed in ORS 352.002 if the student:

(a) During each of the three years immediately prior to receiving a high school diploma or a modified diploma or leaving school before receiving a high school diploma or a modified diploma, attended an elementary or a secondary school in this state;

(b) During each of the five years immediately prior to receiving a high school diploma or a modified diploma or leaving school before receiving a high school diploma or a modified diploma, attended an elementary or a secondary school in any state or territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico;

(c) Received a high school diploma or a modified diploma from a secondary school in this state or received the equivalent of a high school diploma; and

(d) Shows intention to become a citizen or a lawful permanent resident of the United States by submitting to the public university the student attends or plans to attend an official copy of the student's application to register with a federal immigration program or federal deportation deferral program or a statement of intent that the student will seek to obtain citizenship as permitted under federal law.

(2) The governing board shall exempt a student who is financially dependent upon a person who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment **as an undergraduate student and as a graduate student** in a **degree program at a** public university listed in ORS 352.002 if the student:

(a) During each of the three years immediately prior to receiving a high school diploma or a modified diploma or leaving school before receiving a high school diploma or a modified diploma,

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.

attended an elementary or a secondary school in this state and resided in this state with the person upon whom the student is dependent;

(b) During each of the five years immediately prior to receiving a high school diploma or a modified diploma or leaving school before receiving a high school diploma or a modified diploma, attended an elementary or a secondary school in any state or territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico and resided with the person upon whom the student is dependent;

(c) Received a high school diploma or a modified diploma from a secondary school in this state or received the equivalent of a high school diploma; and

(d) For a student who is not already a citizen or lawful permanent resident of the United States, shows intention to become a citizen or a lawful permanent resident of the United States by submitting to the public university the student attends or plans to attend an official copy of the student's application to register with a federal immigration program or federal deportation deferral program or a statement of intent that the student will seek to obtain citizenship as permitted under federal law.

(3) A student who is a citizen or a lawful permanent resident of the United States and who has resided outside of Oregon for more than three years while serving in the Armed Forces of the United States, but who otherwise meets the requirements of subsection (1) or (2) of this section, shall qualify for exemption from nonresident tuition and fees for enrollment **as an undergraduate student and a graduate student** in a **degree program at a** public university listed in ORS 352.002 without having to reestablish residency in Oregon.

(4) The governing board shall adopt standards to implement the provisions of this section.

(5) Not later than July 1 of each year, the Higher Education Coordinating Commission shall report to the Speaker of the House of Representatives, the President of the Senate and the interim committees of the Legislative Assembly with subject matter authority over higher education, for the preceding academic year:

(a) The number of students that applied and were accepted into public universities under subsections (1) to (3) of this section; and

(b) The financial impact of subsections (1) to (3) of this section on public universities listed in ORS 352.002.

(6) A student who is not a citizen or a lawful permanent resident of the United States is eligible to receive scholarships and other financial aid from public universities listed in ORS 352.002.

SECTION 2. The amendments to ORS 352.287 by section 1 of this 2019 Act apply to tuition charged by public universities listed in ORS 352.002 on or after the effective date of this 2019 Act.

SECTION 3. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.