

**REPEAL OF EXEMPTIONS FROM
NONRESIDENT TUITION**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Glenn A. Donnelson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies eligibility criteria for an exemption from the nonresident portion of total tuition at a state institution of higher education.

Highlighted Provisions:

This bill:

► provides that an exemption from the nonresident portion of total tuition at a state institution of higher education for students who have attended high school in the state for three years and graduated from a high school in the state or received the equivalent of a high school diploma shall be restricted to those students who register as an entering student before May 1, 2007.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-8-106, as enacted by Chapter 230, Laws of Utah 2002

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **53B-8-106** is amended to read:

29 **53B-8-106. Resident tuition -- Requirements -- Rules.**

30 (1) If allowed under federal law, a student, other than a nonimmigrant alien within the
31 meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States
32 Code, shall be exempt from paying the nonresident portion of total tuition if the student:

33 (a) attended high school in this state for three or more years;

34 (b) graduated from a high school in this state or received the equivalent of a high
35 school diploma in this state; and

36 (c) registers as an entering student at an institution of higher education;

37 (i) not earlier than the fall of the 2002-03 academic year[-]; and

38 (ii) before May 1, 2007.

39 (2) In addition to the requirements under Subsection (1), a student without lawful
40 immigration status shall file an affidavit with the institution of higher education stating that the
41 student has filed an application to legalize his immigration status, or will file an application as
42 soon as he is eligible to do so.

43 (3) The State Board of Regents shall make rules for the implementation of this section.

44 (4) Nothing in this section limits the ability of institutions of higher education to assess
45 nonresident tuition on students who do not meet the requirements under this section.

46 (5) An institution of higher education shall continue to provide the exemption from
47 paying the nonresident portion of total tuition for a student who entered the institution before
48 May 1, 2007, through the time that the student remains admitted as a student at that institution
49 of higher education in a program of study leading to a degree or certificate.

Legislative Review Note
as of 11-16-06 8:47 AM

Office of Legislative Research and General Counsel

H.B. 224 - Repeal of Exemptions from Nonresident Tuition

Fiscal Note

2007 General Session

State of Utah

State Impact

It is assumed that implementation of this bill will curtail the growth in the number of certain non-immigrant alien students resulting in a loss of future tuition revenue to the institutions estimated at \$200,000 in FY 2008.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
Dedicated Credits	\$0	\$0	\$0	\$0	(\$200,000)	(\$280,000)
Total	\$0	\$0	\$0	\$0	(\$200,000)	(\$280,000)

Individual, Business and/or Local Impact

Nonimmigrant aliens who benefit from paying resident tuition rates would lose this benefit and would be required to pay nonresident tuition rates if they chose to pursue their education at an institution in the Utah System of Higher Education.