

## HB0191S02 compared with HB0191S01

~~{deleted text}~~ shows text that was in HB0191S01 but was deleted in HB0191S02.

inserted text shows text that was not in HB0191S01 but was inserted into HB0191S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative ~~{Bill Wright}~~ Ryan D. Wilcox proposes the following substitute bill:

### NONRESIDENT TUITION WAIVER AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl Wimmer**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill amends provisions related to an exemption from the nonresident portion of total tuition within the State System of Higher Education.

##### Highlighted Provisions:

This bill:

- ▶ ~~{requires a student to prove that the student, or the student's parent or legal guardian, paid Utah income taxes during the prior year}~~ allows certain nonimmigrant aliens, as defined by federal law, to qualify for an exemption from the nonresident portion of total tuition with the State System of Higher Education under certain circumstances; and
- ▶ makes technical changes.

##### Money Appropriated in this Bill:

## HB0191S02 compared with HB0191S01

None

### Other Special Clauses:

This bill takes effect on July 1, 2011.

### Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

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

(b) graduated from a high school in this state or received the equivalent of a high school diploma in this state; ~~{}~~and~~{}~~

(c) registers as an entering student at an institution of higher education not earlier than the fall of the 2002-03 academic year~~{}, {} and}~~

~~{~~ ~~(d) provides proof that the student, or the student's parent or legal guardian, paid Utah resident income taxes for the previous year.~~

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

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

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

Section 2. **Effective date.**

This bill takes effect on July 1, 2011.