

FIRST REGULAR SESSION

SENATE BILL NO. 296

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Read 1st time February 3, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1074S.011

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to eligibility for in-state tuition at Missouri institutions of higher education.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.930, to read as follows:

173.930. 1. This section shall be known and may be cited as the "Missouri In-state Tuition Act". Under this act, students who meet certain qualifications shall be eligible for in-state tuition rates for higher education, regardless of such student's immigration status.

2. As used in this section, the following terms mean:

(1) "State institution of higher education", any college, university, or community or junior college supported in whole or in part out of state funds specifically appropriated for operations;

(2) "Tuition", any tuition or other fees charged by a state institution of higher education for attendance at that institution as a student.

3. Notwithstanding any other provision of law to the contrary, any state institution of higher education that receives state funds shall deem an individual a Missouri resident, unless or until that individual establishes a residence outside of Missouri, if all of the following conditions are met:

(1) The individual attended high school in this state for two or more years;

(2) The individual graduated from a public or private high school

or received the equivalent of a high school diploma in this state;

(3) The individual registered as an entering student at an institution of higher education in this state not earlier than the 2005 fall semester; and

(4) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the institution of higher education with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

4. A student exempt from nonresident tuition under this section may be reported by a community college district as a full-time equivalent student for apportionment purposes.

5. The public institutions of higher education in this state shall prescribe rules and regulations for the implementation of this section. Student information obtained in the implementation of this section shall be kept confidential.

6. A student who meets the requirements pursuant to the provisions of this act may transfer from one institution of higher education in this state or accredited vocational institution in this state to another without losing eligibility for Missouri state resident tuition rates.

7. If a recipient of this benefit at any time withdraws from an institution of higher education in this state or an accredited vocational institution in Missouri so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the portion of the refund attributable to the student at the established in-state resident rate for that term.

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