HB 1341 2017

A bill to be entitled

An act relating to postsecondary educate

An act relating to postsecondary education tuition and fees; amending s. 1009.21, F.S.; providing that certain individuals may not be denied classification as residents for tuition purposes if certain criteria are met; amending s. 1009.26, F.S.; providing that out-of-state fees for certain individuals who are undocumented for federal immigration purposes shall be waived if certain criteria are met; providing for a uniform out-of-state fee waiver form; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (e) is added to subsection (2) of section 1009.21, Florida Statutes, to read:

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1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.

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(2)

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(e) An individual may not be denied classification as a

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resident for tuition purposes based solely upon his or her

27 immigration status if he or she: 28 1. Is a beneficiary under the federal Family Unity 29 Program; 30 2. Has been granted temporary protected status by the 31 United States Department of Homeland Security; 32 3. Has been granted a stay of deportation or removal 33 status by the United States Department of Homeland Security or by an administrative or federal court; 34 35 4. Has been granted deferred enforced departure status by 36 the United States Department of Homeland Security; or 37 5. Has been granted deferred action for childhood arrivals 38 status or another form of prosecutorial discretion by the United 39 States Department of Homeland Security. Section 2. Paragraphs (b) through (d) of subsection (12) 40 of section 1009.26, Florida Statutes, are redesignated as 41 42

of section 2. Paragraphs (b) through (d) of subsection (12) of section 1009.26, Florida Statutes, are redesignated as paragraphs (c) through (e), respectively, and a new paragraph (b) and paragraph (f) are added to that subsection to read:

1009.26 Fee waivers.—

(12)

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- (b) A state university shall waive out-of-state fees for students, including, but not limited to, students who are undocumented for federal immigration purposes, who meet the following requirements:
 - 1. Attended and graduated from a postsecondary institution

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- 2. Apply for enrollment in or are currently enrolled in a graduate or professional program at an institution of higher education in this state;
- 3. Submit an official postsecondary transcript as evidence of attendance and graduation; and
- 4. File with the institution of higher education an affidavit stating that the student will file an application to become a permanent resident of the United States at the earliest opportunity he or she is eligible to do so.
- (f) The Board of Governors and the State Board of

 Education shall create a uniform out-of-state fee waiver form.
 - Section 3. This act shall take effect July 1, 2017.