

1 ENGROSSED SENATE
2 BILL NO. 683

By: Sykes of the Senate

and

Christian of the House

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6
7 [higher education - resident tuition - modifying
8 eligibility requirements - task force - effective
9 date]

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3242, as
12 amended by Section 13, Chapter 112, O.S.L. 2007 (70 O.S. Supp. 2010,
13 Section 3242), is amended to read as follows:

14 Section 3242. A. The Oklahoma State Regents for Higher
15 Education may adopt a policy which allows a student to enroll in an
16 institution within The Oklahoma State System of Higher Education and
17 allows a student to be eligible for resident tuition if the student:

18 1. Graduated from a public or private high school in this
19 state; and

20 2. Resided in this state with a parent or legal guardian while
21 attending classes at a public or private high school in this state
22 for at least two (2) years prior to graduation.

23 B. To be eligible for the provisions of subsection A of this
24 section, an eligible student shall-

1 ~~1. Satisfy~~ satisfy admission standards as determined by the
2 Oklahoma State Regents for Higher Education for the appropriate type
3 of institution and have secured admission to, and enrolled in, an
4 institution within The Oklahoma State System of Higher Education,
5 and

6 ~~2. If the student cannot present to the institution valid~~
7 ~~documentation of United States nationality or an immigration status~~
8 ~~permitting study at a postsecondary institution:~~

9 ~~a. provide to the institution a copy of a true and~~
10 ~~correct application or petition filed with the United~~
11 ~~States Citizenship and Immigration Services to~~
12 ~~legalize the student's immigration status, or~~

13 ~~b. file an affidavit with the institution stating that~~
14 ~~the student will file an application to legalize his~~
15 ~~or her immigration status at the earliest opportunity~~
16 ~~the student is eligible to do so, but in no case later~~
17 ~~than:~~

18 ~~(1) one (1) year after the date on which the student~~
19 ~~enrolls for study at the institution, or~~

20 ~~(2) if there is no formal process to permit children~~
21 ~~of parents without lawful immigration status to~~
22 ~~apply for lawful status without risk of~~
23 ~~deportation, one (1) year after the date the~~
24

1 ~~United States Citizenship and Immigration~~
2 ~~Services provide such a formal process, and~~
3 ~~c. if the student files an affidavit pursuant to~~
4 ~~subparagraph b of this paragraph, present to the~~
5 ~~institution a copy of a true and correct application~~
6 ~~or petition filed with the United States Citizenship~~
7 ~~and Immigration Services no later than:~~

8 ~~(1) one (1) year after the date on which the student~~
9 ~~enrolls for study at the institution, or~~

10 ~~(2) if there is no formal process to permit children~~
11 ~~of parents without lawful immigration status to~~
12 ~~apply for lawful status without risk of~~
13 ~~deportation, one (1) year after the date the~~
14 ~~United States Citizenship and Immigration~~
15 ~~Services provide such a formal process, which~~
16 ~~copy shall be maintained in the institution's~~
17 ~~records for that student.~~

18 C. ~~Any student who completes the required criteria prescribed~~
19 ~~in subsection A of this section, paragraph 1 of subsection B of this~~
20 ~~section, and subparagraph a of paragraph 2 of subsection B of this~~
21 ~~section shall not be disqualified on the basis of the student's~~
22 ~~immigration status from any scholarships or financial aid provided~~
23 ~~by this state.~~

1 ~~D.~~ The provisions of this section shall not impose any
2 additional conditions to maintain resident tuition status at a
3 postsecondary educational institution within The Oklahoma State
4 System of Higher Education on a student who was enrolled in a degree
5 program and first received such resident tuition status at that
6 institution during the 2006-2007 school year or any prior year.

7 SECTION 2. AMENDATORY Section 11, Chapter 112, O.S.L.
8 2007 (70 O.S. Supp. 2010, Section 3242.2), is amended to read as
9 follows:

10 Section 3242.2 A. ~~Except as otherwise provided in Section 3242~~
11 ~~of Title 70 of the Oklahoma Statutes, a~~ An individual who is not
12 lawfully present in the United States shall not be eligible on the
13 basis of residence within the state for:

- 14 1. Any postsecondary education benefit, including, but not
15 limited to, scholarships or financial aid; or
16 2. Resident tuition.

17 ~~B. The provisions of subsection A of this section shall not~~
18 ~~apply to a student enrolled in a degree program at a postsecondary~~
19 ~~educational institution within The Oklahoma State System of Higher~~
20 ~~Education during the 2006-2007 school year or any prior year who~~
21 ~~received a resident tuition benefit pursuant to Section 3242 of~~
22 ~~Title 70 of the Oklahoma Statutes at that institution.~~

23 SECTION 3. REPEALER Section 1, Chapter 195, O.S.L. 2004
24 (70 O.S. Supp. 2010, Section 3242.1), is hereby repealed.

