

1 **SENATE FLOOR VERSION**

2 February 10, 2026

3 SENATE BILL NO. 1633

By: Stanley

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5
6 An Act relating to higher education; amending 70 O.S.
7 2021, Section 3242, which relates to resident tuition
8 eligibility for students with certain status;
9 removing language providing eligibility for students
10 who cannot present certain documentation; removing
11 language regarding eligibility for certain
12 scholarships or financial aid for certain students;
13 removing outdated language; amending 70 O.S. 2021,
14 Section 3242.2, which relates to higher education
15 benefits for certain students; removing exception to
16 prohibition for certain students; removing outdated
17 language; updating statutory language; providing for
18 promulgation of rules; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3242, is
21 amended to read as follows:

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

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

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

4 ~~B. To be eligible for the provisions of subsection A of this~~
5 ~~section, an eligible student shall:~~

6 ~~1. Satisfy admission standards as determined by the Oklahoma~~
7 ~~State Regents for Higher Education for the appropriate type of~~
8 ~~institution and have secured admission to, and enrolled in, an~~
9 ~~institution within The Oklahoma State System of Higher Education;~~
10 ~~and~~

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

14 ~~a. provide to the institution a copy of a true and~~
15 ~~correct application or petition filed with the United~~
16 ~~States Citizenship and Immigration Services to~~
17 ~~legalize the student's immigration status, or~~

18 ~~b. file an affidavit with the institution stating that~~
19 ~~the student will file an application to legalize his~~
20 ~~or her immigration status at the earliest opportunity~~
21 ~~the student is eligible to do so, but in no case later~~
22 ~~than:~~

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

1 ~~(2) if there is no formal process to permit children~~
2 ~~of parents without lawful immigration status to~~
3 ~~apply for lawful status without risk of~~
4 ~~deportation, one (1) year after the date the~~
5 ~~United States Citizenship and Immigration~~
6 ~~Services provide such a formal process, and~~
7 ~~e. if the student files an affidavit pursuant to~~
8 ~~subparagraph b of this paragraph, present to the~~
9 ~~institution a copy of a true and correct application~~
10 ~~or petition filed with the United States Citizenship~~
11 ~~and Immigration Services no later than:~~
12 ~~(1) one (1) year after the date on which the student~~
13 ~~enrolls for study at the institution, or~~
14 ~~(2) if there is no formal process to permit children~~
15 ~~of parents without lawful immigration status to~~
16 ~~apply for lawful status without risk of~~
17 ~~deportation, one (1) year after the date the~~
18 ~~United States Citizenship and Immigration~~
19 ~~Services provide such a formal process, which~~
20 ~~copy shall be maintained in the institution's~~
21 ~~records for that student.~~

22 ~~C. Any student who completes the required criteria prescribed~~
23 ~~in subsection A of this section, paragraph 1 of subsection B of this~~
24 ~~section, and subparagraph a of paragraph 2 of subsection B of this~~

1 ~~section shall not be disqualified on the basis of the student's~~
2 ~~immigration status from any scholarships or financial aid provided~~
3 ~~by this state.~~

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

10 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3242.2, is
11 amended to read as follows:

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

16 1. Any postsecondary education benefit, including, but not
17 limited to, scholarships or financial aid; or

18 2. Resident tuition.

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

1 State Regents for Higher Education may promulgate rules to implement
2 the provisions of this section.

3 SECTION 3. It being immediately necessary for the preservation
4 of the public peace, health, or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
8 February 10, 2026 - DO PASS
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