

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1633

By: Stanley

AS INTRODUCED

An Act relating to higher education; amending 70 O.S. 2021, Section 3242, which relates to resident tuition eligibility for students with certain status; removing language providing eligibility for students who cannot present certain documentation; removing language regarding eligibility for certain scholarships or financial aid for certain students; removing outdated language; amending 70 O.S. 2021, Section 3242.2, which relates to higher education benefits for certain students; removing exception to prohibition for certain students; removing outdated language; updating statutory language; providing for promulgation of rules; and declaring an emergency.

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

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

Section 3242. ~~A.~~ The Oklahoma State Regents for Higher Education may adopt a policy which allows a student to enroll in an 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~~

~~(2) if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, one (1) year after the date the United States Citizenship and Immigration Services provide such a formal process, and~~  
~~c. if the student files an affidavit pursuant to subparagraph b of this paragraph, present to the institution a copy of a true and correct application or petition filed with the United States Citizenship and Immigration Services no later than:~~  
~~(1) one (1) year after the date on which the student enrolls for study at the institution, or~~  
~~(2) if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, one (1) year after the date the United States Citizenship and Immigration Services provide such a formal process, which copy shall be maintained in the institution's records for that student.~~

~~C. Any student who completes the required criteria prescribed in subsection A of this section, paragraph 1 of subsection B of this 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.  
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