

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3493

By: Eaves

AS INTRODUCED

An Act relating to higher education; amending 70 O.S. 2021, Section 3242, which relates to eligibility for resident tuition; removing option to file application or affidavit to receive resident tuition; amending 70 O.S. 2021, Section 3242.2, which relates to eligibility for postsecondary education benefits and resident tuition; removing certain reference; requiring documentation of United State nationality or status as an alien lawfully present in the United States to receive certain public funds for higher education tuition; providing for codification; providing an effective date; 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 1. Graduated from a public or private high school in this
2 state; and

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

6 B. To be eligible for the provisions of subsection A of this
7 section, an eligible student shall:

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

13 2. ~~If the student cannot present~~ Present to the institution
14 valid documentation of United States nationality or ~~an immigration~~
15 ~~status permitting study at a postsecondary institution:~~ of status as
16 an alien lawfully present in the United States.

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

21 b. ~~file an affidavit with the institution stating that~~
22 ~~the student will file an application to legalize his~~
23 ~~or her immigration status at the earliest opportunity~~

1 ~~the student is eligible to do so, but in no case later~~
2 ~~than:~~

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

5 ~~(2) if there is no formal process to permit children~~
6 ~~of parents without lawful immigration status to~~
7 ~~apply for lawful status without risk of~~
8 ~~deportation, one (1) year after the date the~~
9 ~~United States Citizenship and Immigration~~
10 ~~Services provide such a formal process, and~~

11 ~~c. if the student files an affidavit pursuant to~~
12 ~~subparagraph b of this paragraph, present to the~~
13 ~~institution a copy of a true and correct application~~
14 ~~or petition filed with the United States Citizenship~~
15 ~~and Immigration Services no later than:~~

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

18 ~~(2) if there is no formal process to permit children~~
19 ~~of parents without lawful immigration status to~~
20 ~~apply for lawful status without risk of~~
21 ~~deportation, one (1) year after the date the~~
22 ~~United States Citizenship and Immigration~~
23 ~~Services provide such a formal process, which~~
24

1 ~~copy shall be maintained in the institution's~~
2 ~~records for that student.~~

3 C. ~~Any student who completes the required criteria prescribed~~
4 ~~in subsection A of this section, paragraph 1 of subsection B of this~~
5 ~~section, and subparagraph a of paragraph 2 of subsection B of this~~
6 ~~section shall not be disqualified on the basis of the student's~~
7 ~~immigration status from any scholarships or financial aid provided~~
8 ~~by this state.~~

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

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

17 Section 3242.2. A. ~~Except as otherwise provided in Section~~
18 ~~3242 of Title 70 of the Oklahoma Statutes, an~~ An individual who is
19 not lawfully present in the United States shall not be eligible on
20 the basis of residence within the state for:

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

23 2. Resident tuition.
24

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

7 SECTION 3. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 3242.4 of Title 70, unless there
9 is created a duplication in numbering, reads as follows:

10 To be eligible for any grant, scholarship, stipends, subsidies,
11 or reduction to tuition or fees funded, in whole or part, by
12 taxpayer dollars through local, state, or federal monies at any
13 state educational institution within The Oklahoma State System of
14 Higher Education, a student shall present to the institution valid
15 documentation of United States nationality or as an alien lawfully
16 present in the United States.

17 SECTION 4. This act shall become effective July 1, 2026.

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

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