

# Senate Bill 263

Sponsored by Senators DEMBROW, HANSELL, Representative PILUSO, Senator MONNES ANDERSON, Representatives HERNANDEZ, KENY-GUYER; Senators BEYER, BURDICK, FREDERICK, GELSER, MANNING JR, PROZANSKI, ROBLAN, STEINER HAYWARD, Representatives ALONSO LEON, BARKER, BYNUM, EVANS, FAHEY, GOMBERG, GORSEK, GREENLICK, HELM, HOLVEY, LIVELY, NEARMAN, NOSSE, SANCHEZ, SCHOUTEN, WILDE, WILLIAMSON (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that student who legally entered United States under Compact of Free Association treaty between United States and Republic of Palau, Republic of the Marshall Islands or Federated States of Micronesia qualifies for exemption from nonresident tuition and fees at public universities if student meets other tuition equity requirements.

Provides that student who is refugee or special immigrant visa holder qualifies for exemption from nonresident tuition and fees at public universities.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to higher education tuition; amending ORS 352.287; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 352.287, as amended by section 1, chapter 122, Oregon Laws 2018, is amended  
5 to read:

6 352.287. (1) The governing board of a public university listed in ORS 352.002 shall exempt a  
7 student who is not a citizen or a lawful permanent resident of the United States from paying non-  
8 resident tuition and fees for enrollment in a public university listed in ORS 352.002 if the student:

9 (a) During each of the three years immediately prior to receiving a high school diploma or a  
10 modified diploma or leaving school before receiving a high school diploma or a modified diploma,  
11 attended an elementary or a secondary school in this state;

12 (b) During each of the five years immediately prior to receiving a high school diploma or a  
13 modified diploma or leaving school before receiving a high school diploma or a modified diploma,  
14 attended an elementary or a secondary school in any state or territory of the United States, the  
15 District of Columbia or the Commonwealth of Puerto Rico;

16 (c) Received a high school diploma or a modified diploma from a secondary school in this state  
17 or received the equivalent of a high school diploma; and

18 (d) Shows intention to become a citizen or a lawful permanent resident of the United States by  
19 submitting to the public university the student attends or plans to attend an official copy of the  
20 student's application to register with a federal immigration program or federal deportation deferral  
21 program or a statement of intent that the student will seek to obtain citizenship as permitted under  
22 federal law.

23 (2) The governing board shall exempt a student who is financially dependent upon a person who  
24 is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition  
25 and fees for enrollment in a public university listed in ORS 352.002 if the student:

26 (a) During each of the three years immediately prior to receiving a high school diploma or a

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 modified diploma or leaving school before receiving a high school diploma or a modified diploma,  
 2 attended an elementary or a secondary school in this state and resided in this state with the person  
 3 upon whom the student is dependent;

4 (b) During each of the five years immediately prior to receiving a high school diploma or a  
 5 modified diploma or leaving school before receiving a high school diploma or a modified diploma,  
 6 attended an elementary or a secondary school in any state or territory of the United States, the  
 7 District of Columbia or the Commonwealth of Puerto Rico and resided with the person upon whom  
 8 the student is dependent;

9 (c) Received a high school diploma or a modified diploma from a secondary school in this state  
 10 or received the equivalent of a high school diploma; and

11 (d) For a student who is not already a citizen or lawful permanent resident of the United States,  
 12 shows intention to become a citizen or a lawful permanent resident of the United States by submit-  
 13 ting to the public university the student attends or plans to attend an official copy of the student's  
 14 application to register with a federal immigration program or federal deportation deferral program  
 15 or a statement of intent that the student will seek to obtain citizenship as permitted under federal  
 16 law.

17 (3) A student who is a citizen or a lawful permanent resident of the United States and who has  
 18 resided outside of Oregon for more than three years while serving in the Armed Forces of the  
 19 United States, but who otherwise meets the requirements of subsection (1) or (2) of this section, shall  
 20 qualify for exemption from nonresident tuition and fees for enrollment in a public university listed  
 21 in ORS 352.002 without having to reestablish residency in Oregon.

22 **(4) A student who is a COFA islander, but who otherwise meets the requirements of**  
 23 **subsection (1)(a) to (c) or (2)(a) to (c) of this section, shall qualify for exemption from non-**  
 24 **resident tuition and fees for enrollment in a public university listed in ORS 352.002.**

25 **(5) A student who is a refugee or special immigrant visa holder shall qualify for ex-**  
 26 **emption from nonresident tuition and fees for enrollment in a public university listed in ORS**  
 27 **352.002.**

28 [(4)] (6) The governing board shall adopt standards to implement the provisions of this section.

29 [(5)] (7) Not later than July 1 of each year, the Higher Education Coordinating Commission shall  
 30 report to the Speaker of the House of Representatives, the President of the Senate and the interim  
 31 committees of the Legislative Assembly with subject matter authority over higher education, for the  
 32 preceding academic year:

33 (a) The number of students that applied and were accepted into public universities under sub-  
 34 sections (1) to [(3)] (5) of this section; and

35 (b) The financial impact of subsections (1) to [(3)] (5) of this section on public universities listed  
 36 in ORS 352.002.

37 [(6)] (8) A student who is not a citizen or a lawful permanent resident of the United States, **or**  
 38 **who is a refugee, special immigrant visa holder or COFA islander**, is eligible to receive schol-  
 39 arships and other financial aid from public universities listed in ORS 352.002.

40 **(9) As used in this section:**

41 **(a) "COFA islander" means an individual who legally entered the United States under a**  
 42 **Compact of Free Association treaty between the United States and any of the following**  
 43 **countries:**

44 **(A) The Republic of Palau;**

45 **(B) The Republic of the Marshall Islands; or**

1       **(C) The Federated States of Micronesia.**

2       **(b) “Refugee” means an individual who is granted refugee status for admission to the**  
3 **United States by the United States Citizenship and Immigration Services.**

4       **(c) “Special immigrant visa holder” means an individual who has received a green card**  
5 **under the United States Citizenship and Immigration Services special immigrant program.**

6       **SECTION 2. This 2019 Act being necessary for the immediate preservation of the public**  
7 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
8 **on its passage.**

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