

Senate Bill 742

Sponsored by Senators MORSE, NELSON, Representatives DEMBROW, JENSON; Senators BONAMICI, DINGFELDER, EDWARDS, MONROE, SHIELDS, THOMSEN, Representatives BUCKLEY, GELSER, HARKER, JOHNSON, KOMP, KOTEK

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 certain students are entitled to exemption from nonresident tuition and fees at state institutions of higher education. Allows for direct review of challenge to law by Oregon Supreme Court.

A BILL FOR AN ACT

1
2 Relating to exemption from nonresident status for higher education.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 351.**

5 **SECTION 2. (1) The State Board of Higher Education shall exempt a student who is not**
6 **a citizen or a lawful permanent resident of the United States from paying nonresident tuition**
7 **and fees for enrollment in an institution of higher education listed in ORS 352.002 if the**
8 **student:**

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

12 (b) **No more than three years before initially enrolling in an institution of higher educa-**
13 **tion listed in ORS 352.002, received a high school diploma from a secondary school in this**
14 **state or received the equivalent of a high school diploma; and**

15 (c) **Intends, as determined by the board by rule, to become a citizen or a lawful perma-**
16 **nent resident of the United States.**

17 (2) **The board shall exempt a student who is financially dependent, as defined by the board**
18 **by rule, upon a person who is not a citizen or a lawful permanent resident of the United**
19 **States from paying nonresident tuition and fees for enrollment in an institution of higher**
20 **education listed in ORS 352.002 if the student:**

21 (a) **During each of the three years immediately prior to receiving a high school diploma**
22 **or leaving school before receiving a high school diploma, attended an elementary or a sec-**
23 **ondary school in this state and resided in this state with the person upon whom the student**
24 **is dependent;**

25 (b) **No more than three years before initially enrolling in an institution of higher educa-**
26 **tion listed in ORS 352.002, received a high school diploma from a secondary school in this**
27 **state or received the equivalent of a high school diploma; and**

28 (c) **For a student who is not already a citizen or lawful permanent resident of the United**
29 **States, intends, as determined by the board by rule, to become a citizen or a lawful perma-**
30 **nent resident of the United States.**

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.

