

SECOND REGULAR SESSION

HOUSE BILL NO. 2124

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AULL.

Read 1st time March 30, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5675L.02I

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to eligibility for in-state tuition at Missouri institutions of higher education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.930, to read as follows:

**173.930. 1. This section shall be known and may be cited as the "Missouri In-state
2 Tuition Act". Under this act, students who meet certain qualifications shall be eligible for
3 in-state tuition rates for higher education, regardless of such student's immigration status.**

4 2. As used in this section, the following terms mean:

**5 (1) "State institution of higher education", any college, university, or community
6 or junior college supported in whole or in part out of state funds specifically appropriated
7 for operations;**

**8 (2) "Tuition", any tuition or other fees charged by a state institution of higher
9 education for attendance at that institution as a student.**

**10 3. Notwithstanding any other provision of law to the contrary, any state institution
11 of higher education that receives state funds shall deem an individual a Missouri resident,
12 unless or until that individual establishes a residence outside of Missouri, if all of the
13 following conditions are met:**

14 (1) The individual attended high school in this state for three or more years;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 **(2) The individual graduated from a public or private high school or received the**
16 **equivalent of a high school diploma in this state;**

17 **(3) The individual registered as an entering student at an institution of higher**
18 **education in this state not earlier than the 2005 fall semester; and**

19 **(4) In the case of an individual who is not a citizen or a permanent resident of the**
20 **United States, the individual provides the institution of higher education with an affidavit**
21 **stating that the individual has filed or will file an application to become a permanent**
22 **resident of the United States at the earliest opportunity the individual is eligible to do so.**

23 **4. A student exempt from nonresident tuition under this section may be reported**
24 **by a community college district as a full-time equivalent student for apportionment**
25 **purposes.**

26 **5. The public institutions of higher education in this state shall prescribe rules and**
27 **regulations for the implementation of this section. Student information obtained in the**
28 **implementation of this section shall be kept confidential.**

29 **6. A student who meets the requirements pursuant to the provisions of this act may**
30 **transfer from one institution of higher education in this state or accredited vocational**
31 **institution in this state to another without losing eligibility for Missouri state resident**
32 **tuition rates.**

33 **7. If a recipient of this benefit at any time withdraws from an institution of higher**
34 **education in this state or an accredited vocational institution in Missouri so that under the**
35 **rules and regulations of that institution he or she is entitled to a refund of any tuition, fees,**
36 **or other charges, the institution shall pay the portion of the refund attributable to the**
37 **student at the established in-state resident rate for that term.**

38 **8. The provisions of this section shall not apply to any individual who has a valid**
39 **student visa or who at the time of enrollment is eligible to enroll in a public institution of**
40 **higher education located in another state upon payment of fees and tuition required of**
41 **residents of such state.**

42 **9. Any individual who:**

43 **(1) Files the affidavit required under subdivision (4) of subsection 3 of this section**
44 **which contains false information;**

45 **(2) Fails to file an application to legalize such person's immigration status within**
46 **one year of becoming eligible;**

47 **(3) Fails to begin the process of citizenship within one year of becoming eligible; or**

48 **(4) Fails to maintain an active application for citizenship after filing;**

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50 shall not be deemed a resident of this state for the purpose of tuition and fees. Such
51 individual shall be required to repay the difference between the amount of fees and tuition
52 actually paid and the amount such person would have paid as a nonresident of the state,
53 plus interest at a rate not to exceed a maximum of six percent for the time such individual
54 was enrolled as a resident under this section.

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