

# House File 141 - Introduced

HOUSE FILE \_\_\_\_\_  
BY STRUYK, WINDSCHITL, LUKAN,  
PETTENGILL, SCHULTZ, ALONS,  
DRAKE, RAYHONS, and HORBACH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring students at state postsecondary institutions to  
2 provide proof of legal status, reducing funding for state  
3 postsecondary institutions that enroll students without such  
4 proof, and providing an applicability date.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 1507YH 83  
7 kh/rj/8

PAG LIN

1 1 Section 1. Section 260C.14, Code 2009, is amended by  
1 2 adding the following new subsection:  
1 3 NEW SUBSECTION. 23. Require an individual who submits an  
1 4 application for admission to the community college to provide  
1 5 proof of United States citizenship or proof that the  
1 6 individual is lawfully present in the United States. An  
1 7 individual who cannot provide such proof shall not be admitted  
1 8 by the community college as a student. The department of  
1 9 education, in consultation with the legislative services  
1 10 agency, shall annually calculate the education funding per  
1 11 student for community colleges. State assistance to a  
1 12 community college for a fiscal year shall be reduced by the  
1 13 education funding per student amount calculated for community  
1 14 colleges multiplied by the number of students enrolled in the  
1 15 community college in the prior fiscal year who failed to  
1 16 provide proof as required by this subsection. This subsection  
1 17 does not apply to students who are taking courses offered by  
1 18 the community college under the provisions of section 257.11  
1 19 or section 261E.6.

1 20 Sec. 2. Section 262.9, Code 2009, is amended by adding the  
1 21 following new subsection:

1 22 NEW SUBSECTION. 32. Direct each of the institutions of  
1 23 higher education under the board's control to require an  
1 24 individual who submits an application for admission to the  
1 25 institution to provide proof of United States citizenship or  
1 26 proof that the individual is lawfully present in the United  
1 27 States. An individual who cannot provide such proof shall not  
1 28 be admitted by the institution as a student. The department  
1 29 of management, in consultation with the legislative services  
1 30 agency, shall annually calculate the education funding per  
1 31 student for each regents university. State assistance to an  
1 32 institution for a fiscal year shall be reduced by the  
1 33 education funding per student amount calculated for the  
1 34 institution multiplied by the number of students enrolled in  
1 35 the institution in the prior fiscal year who failed to provide  
2 1 proof as required by this subsection. This subsection does  
2 2 not apply to students who are taking courses offered by the  
2 3 institution under the provisions of section 261E.6.

2 4 Sec. 3. APPLICABILITY. Notwithstanding section 260C.14,  
2 5 subsection 23, as enacted by this Act, and section 262.9,  
2 6 subsection 32, as enacted by this Act, state assistance to an  
2 7 institution shall not be reduced as provided in those  
2 8 subsections on the basis of students who were enrolled in a  
2 9 community college or regents university on or before July 1,  
2 10 2009.

## EXPLANATION

2 11  
2 12 This bill requires community colleges and regents  
2 13 universities to require that applicants for admission provide  
2 14 proof of United States citizenship or proof that the  
2 15 individual is lawfully present in the United States. An  
2 16 individual who cannot provide such proof shall not be admitted

2 17 as a student.

2 18 State assistance to a community college or regents  
2 19 university shall be reduced by the education funding per  
2 20 student amount calculated by the department of education, or  
2 21 the department of management, as applicable, in consultation  
2 22 with the legislative services agency, for community colleges,  
2 23 or regents universities as applicable, multiplied by the  
2 24 number of students enrolled in the institution in the prior  
2 25 fiscal year who failed to provide proof of legal status.

2 26 The provisions do not apply to high school students taking  
2 27 courses at a community college or regents university under the  
2 28 postsecondary enrollment options Act; or to high school  
2 29 students taking courses at a community college under  
2 30 district-to-community college sharing, or to high school  
2 31 students taking virtual classes or classes via the Iowa  
2 32 communications network offered by a community college. The  
2 33 bill also does not apply to students who enrolled in the state  
2 34 postsecondary institutions on or before July 1, 2009.

2 35 LSB 1507YH 83

3 1 kh/rj/8.1