

MAR 5 2004
Place On Calendar

HOUSE FILE 2459
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 610)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to residency qualifications for purposes of
2 postsecondary tuition and fees paid at public institutions of
3 higher education in this state.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2459

1 Section 1. Section 260C.14, Code Supplement 2003, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 21. Adopt rules, not later than January
4 1, 2005, related to the classification of students for
5 purposes of determining tuition and fees that provide equal
6 opportunity for granting resident status to individuals who
7 meet all of the following conditions:

8 a. Resided in this state for at least three years as of
9 the date the individual graduated from an accredited high
10 school or received a high school equivalency diploma in this
11 state.

12 b. Is accepted for enrollment in a community college in
13 this state.

14 c. Is an undocumented person who is not a citizen or
15 national of the United States.

16 d. Has established domicile in Iowa for the period during
17 which the individual is enrolled at the community college.

18 Sec. 2. Section 262.9, Code Supplement 2003, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 32. Adopt rules, not later than January
21 1, 2005, related to the classification of students for
22 purposes of determining tuition and fees that provide equal
23 opportunity for granting resident status to individuals who
24 meet all of the following conditions:

25 a. Resided in this state for at least three years as of
26 the date the individual graduated from an accredited high
27 school or received a high school equivalency diploma in this
28 state.

29 b. Is accepted for enrollment in a university under the
30 control of the board in this state.

31 c. Is an undocumented person who is not a citizen or
32 national of the United States.

33 d. Has established domicile in Iowa for the period during
34 which the individual is enrolled at a university under the
35 control of the board.

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EXPLANATION

This bill directs the board of directors of a community college and the state board of regents to adopt rules, not later than January 1, 2005, related to the classification of students for purposes of determining tuition and fees that provide equal opportunity for granting resident status to an individual who resided in this state at least three years prior to graduating or receiving a high school equivalency diploma in this state, is accepted for enrollment in a postsecondary institution in this state, is an undocumented person who is not a citizen or a national of the United States, and has established domicile in Iowa for the period in which the person is enrolled at the postsecondary institution.

Tymeson-chair

Roberts
Raeker
Dandekar
Wendt

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON TYMESON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to residency qualifications for purposes of
2 postsecondary tuition and fees paid at public institutions of
3 higher education in this state.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2003-04
2003-04

1 Section 1. Section 260C.14, Code Supplement 2003, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 21. Adopt rules to deem an individual a
4 resident of this state for tuition and fee purposes, until the
5 individual establishes a residence outside this state, if the
6 individual resided with a parent or guardian while attending
7 an accredited high school in this state, and meets all of the
8 following conditions:

9 a. The individual graduated from an accredited high school
10 in this state or received a high school equivalency diploma in
11 this state.

12 b. The individual resided in this state at least three
13 years as of the date the individual graduated from an
14 accredited high school or received a high school equivalency
15 diploma in this state.

16 c. The individual enrolls in the community college not
17 earlier than the 2004 fall semester.

18 d. In the case of an individual who is not a citizen or
19 permanent resident of the United States, the individual
20 provides the community college with an affidavit stating that
21 the individual will file an application to become a permanent
22 resident of the United States at the earliest opportunity the
23 individual is eligible to do so.

24 This subsection shall not be construed to prohibit a
25 community college from establishing or maintaining a less
26 stringent policy for the establishment of Iowa residency by a
27 United States citizen or national of a foreign country.

28 Sec. 2. Section 262.9, Code Supplement 2003, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 32. Adopt rules to deem an individual a
31 resident of this state for tuition and fee purposes, until the
32 individual establishes a residence outside this state, if the
33 individual resided with a parent or guardian while attending
34 an accredited high school in this state, and meets all of the
35 following conditions:

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1 a. The individual graduated from an accredited high school
2 in this state or received a high school equivalency diploma in
3 this state.

4 b. The individual resided in this state at least three
5 years as of the date the individual graduated from an
6 accredited high school or received a high school equivalency
7 diploma in this state.

8 c. The individual enrolls in an institution of higher
9 learning under the control of the board not earlier than the
10 2004 fall semester.

11 d. In the case of an individual who is not a citizen or
12 permanent resident of the United States, the individual
13 provides an institution of higher education under the control
14 of the board with an affidavit stating that the individual
15 will file an application to become a permanent resident of the
16 United States at the earliest opportunity the individual is
17 eligible to do so.

18 This subsection shall not be construed to prohibit an
19 institution from establishing or maintaining a less stringent
20 policy for the establishment of Iowa residency by a United
21 States citizen or national of a foreign country.

22 EXPLANATION

23 This bill directs the board of directors of a community
24 college and the state board of regents to adopt rules that
25 deem an individual a resident of the state for purposes of
26 tuition and fees if the individual resided with a parent or
27 guardian while attending a high school in this state,
28 graduated from a high school or received a high school
29 equivalency diploma in this state, resided in this state at
30 least three years prior to graduating or receiving a high
31 school equivalency diploma in this state, enrolls in the
32 postsecondary institution in this state not earlier than the
33 2004 fall semester, and, if the individual is not a citizen or
34 a permanent resident of the United States, the individual
35 provides the postsecondary institution of enrollment with an

S.F. _____ H.F. _____

1 affidavit stating that the individual will file an application
2 to become a permanent resident of the United States at the
3 earliest opportunity the individual is eligible to do so.

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