
Higher Education Committee

HB 1191

Brief Description: Regarding resident tuition at institutions of higher education.

Sponsors: Representatives Jarrett, Kenney, Priest and Sommers.

Brief Summary of Bill

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| <ul style="list-style-type: none">• Makes certain nonimmigrant visa holders ineligible for paying in-state tuition at institutions of higher education. |
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Hearing Date: 2/4/05

Staff: Sydney Forrester (786-7120).

Background:

In 2003, the Legislature passed HB 1079 creating an additional set of criteria under which a student may qualify for in-state tuition rates. Under the new criteria, a student is eligible for in-state tuition if the student:

- Attends a Washington high school for three or more years;
- Graduates from high school or receives a GED in Washington;
- Lives in Washington since graduating or obtaining the GED; and
- Completes an affidavit promising to apply for permanent residence as soon as eligible and agreeing to engage in other activities to acquire citizenship.

As higher education institutions began implementing the new law, some students who held nonimmigrant visas, but who also met all of the new criteria, completed affidavits and applied for in-state tuition. The current statute does not provide a basis for higher education institutions to preclude nonimmigrant students from paying in-state tuition if they otherwise qualify.

Summary of Bill:

A student is not eligible for Washington resident tuition if the student holds a nonimmigrant visa issued on the condition that: (1) the student has a residence in a foreign country and has no intention of abandoning that residence; or (2) the student has no intent to establish a domicile in the United States.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.