

Department of Planning and Budget
2003 Fiscal Impact Statement

1. Bill Number HB2339

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Drake

3. Committee Education

4. Title In-state tuition for aliens.

5. Summary/Purpose:

Provides that an alien who is not lawfully present in the U.S. shall not be eligible for in-state tuition. The bill also provides for the denial or withdrawal of financial aid or scholarship to any student engaging in or assisting in acts of terrorism.

6. Fiscal Impact Estimates are: not available. See item 8.

7. Budget amendment necessary: N/A

8. Fiscal implications: Estimates of fiscal impact are not available because of a number of factors requiring clarification. There are several categories of undocumented students, none of which are well defined in legislation or in policy. The institutions lack in-depth knowledge of federal law on immigrant students, and are concerned about possible conflicts between federal and state law.

9. Specific agency or political subdivisions affected: The Commonwealth's 17 public institutions of higher education.

10. Technical amendment necessary: N/A

11. Other comments: HJ587 calls for establishment of a joint subcommittee and completion of a legislative study on immigrant students and higher education. The study would examine current federal immigration law and regulation, judicial precedent, current in-state tuition practices addressing immigrant and nonresident students in the Commonwealth and other states, fiscal and policy implications of extending in-state tuition to such students.

Date: 01/20/03/jeh

Document: DPB G:\2003 Legislation \HB2339.DOC

cc: Secretary of Education