

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2008

As Amended by Senate Committee of the Whole

Brief*

The bill would establish criteria for determining students' eligibility for in-state tuition and fees at Kansas postsecondary educational institutions.

As it relates to the bill, individuals would be eligible to pay in-state tuition if he or she met the following criteria:

- ! Attended an accredited Kansas high school for three or more years;
- ! Either graduated from an accredited Kansas high school or obtained a general educational development certificate (GED) in Kansas;
- ! Been accepted for admission at a Kansas institution of postsecondary education; and
- ! Filed an affidavit stating either that the person has filed an application to legalize his or her immigration status or to file for U.S. citizenship or that the person's parents have filed such an application.

An individual who has been deemed eligible for in-state tuition under these criteria and who has falsified the affidavit or failed to follow through on the application process would have that eligibility revoked. In addition, the individual would be required to repay the difference between resident and non-resident tuition.

The provisions of the bill do not apply to an individual who has a valid student visa or who is eligible to pay in-state tuition in another

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

state.

For purposes of the bill, "postsecondary educational institution" would be defined as in current law to include any public university, municipal university, community college, technical college and vocational education school, and any combination of such postsecondary educational institutions.

Background

HB 2008 contains the provisions of SB 302 and certain provisions of HB 2145. SB 302 was introduced by the Legislative Educational Planning Committee. The Senate Education Committee amended the provisions of SB 302 into HB 2008.

The original provisions of HB 2008 established maximum fees to be charged by the State Board of Regents for activities related to the oversight of proprietary schools. The bill also required the Board to collect a fee for providing transcripts to students if the proprietary school has ceased operation.

The Senate Committee of the Whole amended the bill to expand the affidavit requirement so that an individual would qualify if the individual's parents had filed an application to legalize immigration status. In addition, the Senate Committee of the Whole amendment provides that an individual who falsified the affidavit or who does not follow through on the application process would lose resident fee eligibility and would be required to repay the difference between resident and non-resident tuition.