

# HB210 INTRODUCED



1 HB210  
2 A4DCSS7-1  
3 By Representatives Ingram, Collins, Givens, Kirkland  
4 RFD: Education Policy  
5 First Read: 21-Feb-24



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SYNOPSIS:

Under existing law, aliens who are not lawfully present in the United States are prohibited from enrolling in or attending any public postsecondary education institution in this state.

This bill would provide exceptions for circumstances under which this prohibition applies.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to postsecondary education; to provide exceptions for the circumstances under which aliens not lawfully present in the United States are prohibited from attending public postsecondary education institutions in this state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. "§31-13-8

(a) An alien who is not lawfully present in the United States shall not be permitted to enroll in or attend any public postsecondary education institution in this state. For the purposes of this section, a public postsecondary education institution officer may seek federal verification of an



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29 alien's immigration status with the federal government  
30 pursuant to 8 U.S.C. § 1373(c). A public postsecondary  
31 education institution officer or official shall not attempt to  
32 independently make a final determination of whether an alien  
33 is lawfully present in the United States. Except as otherwise  
34 provided by law, an alien who is not lawfully present in the  
35 United States shall not be eligible for any postsecondary  
36 education benefit, including, but not limited to,  
37 scholarships, grants, or financial aid.

38 (b) This section shall not apply to an alien who is not  
39 lawfully present in the United States if he or she has  
40 satisfied either of the following:

41 (1) Attended a high school for three or more years and  
42 graduated from a high school, earned a GED certification, or  
43 completed other equivalent education in this state.

44 (2) Applied for lawful presence in the United States."

45 Section 2. This act shall become effective on October  
46 1, 2024.