

House Bill 640

By: Representatives Holcomb of the 81st and Hitchens of the 161st

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the university system, so as to provide that noncitizen students with
3 certain refugee, special immigrant, or humanitarian parolee status under federal law are
4 classified as in-state for tuition purposes subject to certain conditions; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
9 relating to the university system, is amended in Code Section 20-3-66, relating to
10 determination of in-state resident status of students for tuition or fees, by revising subsection
11 (e) as follows:

12 "(e) Noncitizen students shall not be classified as in-state for tuition purposes unless the
13 student is legally in this state and there is evidence to warrant consideration of in-state
14 classification as determined by the board of regents. Lawful permanent residents, refugees,
15 asylees, special immigrants, or other eligible noncitizens as defined by federal Title IV
16 regulations may be extended the same consideration as citizens of the United States in

17 determining whether they qualify for in-state classification; provided, however, that
18 noncitizen students admitted to the United States as refugees pursuant to 8 U.S.C.
19 Section 1157; as special immigrants pursuant to Public Law 110-181, Section 1244, as
20 amended, Public Law 109-163, Section 1059, as amended, or Section 602(b) of Title VI
21 of Division F of Public Law 111-8, as amended; or as humanitarian parolees pursuant to
22 8 U.S.C. Section 1182(d)(5)(A) shall be classified as in-state for tuition purposes
23 immediately upon settlement in Georgia; provided, further, that international ~~International~~
24 students who reside in the United States under nonimmigrant status conditioned at least in
25 part upon intent not to abandon a foreign domicile shall not be eligible for in-state
26 classification."

27

SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.