

HOUSE No. 2231

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure tuition equity for Massachusetts residents.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---------------------------------|------------------------|
| <i>Michael J. Moran</i> | <i>18th Suffolk</i> |
| <i>Kevin G. Honan</i> | <i>17th Suffolk</i> |
| <i>Joseph W. McGonagle, Jr.</i> | <i>28th Middlesex</i> |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> |
| <i>Jose F. Tosado</i> | <i>9th Hampden</i> |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> |
| <i>Evandro C. Carvalho</i> | <i>5th Suffolk</i> |
| <i>Thomas J. Calter</i> | <i>12th Plymouth</i> |
| <i>Jack Lewis</i> | <i>7th Middlesex</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> |
| <i>Aaron Vega</i> | <i>5th Hampden</i> |
| <i>Harriette L. Chandler</i> | <i>First Worcester</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> |
| <i>Carole A. Fiola</i> | <i>6th Bristol</i> |
| <i>Carlos Gonzalez</i> | <i>10th Hampden</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> |

| | |
|----------------------------|--------------------------------|
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> |
| <i>Daniel M. Donahue</i> | <i>16th Worcester</i> |
| <i>Adrian Madaro</i> | <i>1st Suffolk</i> |
| <i>Brendan P. Crighton</i> | <i>11th Essex</i> |
| <i>Paul Tucker</i> | <i>7th Essex</i> |
| <i>Natalie Higgins</i> | <i>4th Worcester</i> |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> |

HOUSE No. 2231

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 2231) of Michael J. Moran and others relative to in-state tuition rates and fees at public institutions of higher education. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to ensure tuition equity for Massachusetts residents.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15A of the General Laws, as most recently amended by section 20 of chapter 189
2 of the acts of 2012, is hereby amended by adding the following section:—

3 Section 9C(a) Notwithstanding any general or special law to the contrary, for the purpose
4 of determining eligibility for in-state tuition rates and fees at state institutions of higher education
5 in Massachusetts, any person admitted to such state institutions of higher education, other than a
6 nonimmigrant alien within the meaning of paragraph 15 of subsection (a)(A) through (S) of 8
7 U.S.C., section 1101 of the federal act, who has attended a high school in the commonwealth for
8 3 or more years and has graduated from a high school in the commonwealth or attained the
9 equivalent thereof from an adult basic education program in the commonwealth, or is currently a
10 student in a Massachusetts public higher education institution qualifying for in-state tuition under
11 federal regulations, shall be eligible to pay in-state tuition rates and fees, at any state institution
12 of higher education in the commonwealth. (b) Proof required of any such person demonstrating

13 in-state tuition eligibility as determined by the Department of Higher Education may include, but
14 not limited to,: (A) if eligible for the military selective service under the federal Military
15 Selective Service Act, as amended by 50 U.S.C., App. 453, section 3, register for such; (B)
16 provide the state institution of higher education in the commonwealth in which enrollment is
17 sought with documentation of registration with the selective service, if applicable; (C) supply the
18 state institution of higher education in which enrollment is sought with a valid social security
19 number or a document reflecting issuance of an individual taxpayer identification number (ITIN)
20 in lieu of a social security number; (D) file, in every year of enrollment, a Massachusetts income
21 tax return pursuant to chapter 62 of the general laws; and (E) file at the time of enrollment, if that
22 person is not a citizen of the United States or a legal permanent resident of the United States, an
23 affidavit signed under the pains and penalties of perjury stating that the person has applied for
24 citizenship or legal permanent residence or will apply for citizenship or legal permanent
25 residence in accordance with federal statute and federal regulations within 120 days of eligibility
26 for such status. (c) No person qualified for in-state tuition rates and fees under this chapter shall
27 be denied in-state tuition and fees as a result of the granting of eligibility under this paragraph.
28 (d) The Legislature finds that this is a state law within the meaning of 8 U.S.C. 1621(d).
29 Provided further that the Department of Higher Education in collaboration with the public
30 institutions of higher education shall promulgate regulations to facilitate the in-state tuition
31 eligibility process.

32 This act shall take effect upon passage.