

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 697 Session of  
2015

---

INTRODUCED BY LEACH, FONTANA AND SCHWANK, APRIL 23, 2015

---

REFERRED TO STATE GOVERNMENT, APRIL 23, 2015

---

AN ACT

1 Providing recognized immigrants with rights relating to in-State  
2 tuition at certain institutions of higher education, drivers'  
3 licenses and employment practices.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Welcome to  
8 Pennsylvania Immigration Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Employer." As defined in section 4 of the act of October  
14 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human  
15 Relations Act.

16 "Institution of higher education." Any of the following:

17 (1) A community college operating under Article XIX-A of  
18 the act of March 10, 1949 (P.L.30, No.14), known as the  
19 Public School Code of 1949.

1           (2) A university comprising the State System of Higher  
2 Education.

3           (3) The Pennsylvania State University.

4           (4) The University of Pittsburgh.

5           (5) Temple University.

6           (6) Lincoln University.

7           (7) An institution that is designated as "State-related"  
8 by the Commonwealth after the effective date of this section.

9 "Recognized immigrant." A person who:

10           (1) resides in this Commonwealth without lawful  
11 immigration status; and

12           (2) (i) has filed an application to legalize his  
13 immigration status, if he is legally eligible to do so  
14 under Federal statute, regulation or Executive Order of  
15 the President of the United States; or

16           (ii) intends to do so as soon as he is legally  
17 eligible to do so under Federal statute, regulation or  
18 Executive Order of the President of the United States.

19 Section 3. In-State tuition.

20           (a) General rule.--An institution of higher education may  
21 not charge a student who attends the institution of higher  
22 education and is a recognized immigrant tuition at an amount  
23 greater than that which otherwise would be charged if the  
24 student was a lawful resident of this Commonwealth and citizen  
25 of the United States.

26           (b) Eligibility.--An institution of higher education may  
27 require a student who attends the institution of higher  
28 education to submit an affidavit for the sole purpose of  
29 determining whether the student is a recognized immigrant and  
30 the correct amount of tuition to be charged to the student.

1 Section 4. Driver's license.

2 A person who otherwise qualifies for a driver's license under  
3 the provisions of 75 Pa.C.S. Ch. 15 (relating to licensing of  
4 drivers) may not be denied issuance of a license or renewal of a  
5 license by the Department of Transportation on the basis that  
6 the person is a recognized immigrant.

7 Section 5. Employment practices.

8 (a) General rule.--An employer may not refuse to hire or  
9 employ or contract with, or bar or discharge from employment, a  
10 person who is a recognized immigrant, or otherwise discriminate  
11 against a recognized immigrant with respect to compensation,  
12 hire, tenure, terms, conditions or privileges of employment or  
13 contract, if the recognized immigrant is the best able and most  
14 competent to perform the services required.

15 (b) Enforcement and penalties.--Subsection (a) shall be  
16 subject to the same enforcement and penalty provisions as the  
17 unlawful discriminatory practices enumerated in the act of  
18 October 27, 1955 (P.L.744, No.222), known as the Pennsylvania  
19 Human Relations Act.

20 Section 6. Inconsistent repeals.

21 The following acts and parts of acts are repealed to the  
22 extent of any inconsistency with this act:

23 (1) Section 1908-A of the act of March 10 1949 (P.L.30,  
24 No.14), known as the Public School Code of 1949.

25 (2) Section 2006-A(a)(11) of the Public School Code of  
26 1949.

27 Section 7. Effective date.

28 This act shall take effect in 60 days.