

Senate Bill 44

By: Senators Orrock of the 36th, Henson of the 41st, Fort of the 39th, Harbison of the 15th,
Jones of the 10th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 provide that noncitizen students receiving a grant of deferred action for childhood arrivals
3 from the United States Department of Homeland Security may be extended the same
4 consideration as citizens of the United States in determining whether they qualify for in-state
5 classification for purposes of tuition and fees by the university system and the Technical
6 College System of Georgia; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
11 revising subsection (d) of Code Section 20-3-66, relating to the determination of in-state
12 resident status of students for tuition or fees by the university system, as follows:

13 "(d) Except for noncitizen students who have received a grant of deferred action for
14 childhood arrivals from the United States Department of Homeland Security, noncitizen
15 ~~Noncitizen~~ students shall not be classified as in-state for tuition purposes unless the student
16 is legally in this state and there is evidence to warrant consideration of in-state
17 classification as determined by the board of regents. Lawful permanent residents, refugees,
18 asylees, or other eligible noncitizens as defined by federal Title IV regulations, or
19 noncitizens who have received a grant of deferred action for childhood arrivals from the
20 United States Department of Homeland Security may be extended the same consideration
21 as citizens of the United States in determining whether they qualify for in-state
22 classification. International students who reside in the United States under nonimmigrant
23 status conditioned at least in part upon intent not to abandon a foreign domicile shall not
24 be eligible for in-state classification."

25 **SECTION 2.**

26 Said title is further amended by revising subsection (a) of Code Section 20-4-21, relating to
27 tuition fees by the Technical College System of Georgia, as follows:

28 "(a) Any postsecondary technical school operated by a local board of education, an area
29 postsecondary technical education board, or the Technical College System of Georgia shall
30 be authorized to charge tuition fees in conformity with the rules and regulations
31 promulgated by the State Board of the Technical College System of Georgia; provided,
32 however, that such rules and regulations may extend the same consideration that is given
33 to citizens of the United States to noncitizens who have received a grant of deferred action
34 for childhood arrivals from the United States Department of Homeland Security in
35 determining whether such noncitizens qualify for in-state classification of tuition fees."

36 **SECTION 3.**

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