

House Bill 997

By: Representatives Carpenter of the 4th, Cantrell of the 22nd, Frye of the 118th, and Bonner of the 72nd

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 students other than nonimmigrant aliens as defined in federal law shall be
3 classified as in-state for tuition purposes subject to certain conditions; to provide for a short
4 title; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "Georgia Resident In-State Tuition Act."

8 **SECTION 2.**

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

12 ~~"(d) 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, or other eligible noncitizens as defined by federal Title IV regulations may be~~
16 ~~extended the same consideration as citizens of the United States in determining whether~~
17 ~~they qualify for in-state classification. International students who reside in the United~~
18 ~~States under nonimmigrant status conditioned at least in part upon intent not to abandon~~
19 ~~a foreign domicile shall not be eligible for in-state classification.~~

20 (d)(1) Except as provided in subsections (b) and (c) of this Code section, a student other
21 than a nonimmigrant alien within the meaning of 8 U.S.C. Section 1101 shall be
22 classified for in-state tuition purposes if he or she satisfies all of the following conditions:

23 (A) Has graduated from a Georgia high school or obtained a Georgia general
24 educational development (GED) diploma;

- 25 (B) Has established and maintained domicile in the State of Georgia for four years
26 immediately preceding the first day of classes for the term;
27 (C) Has been physically present in the United States since on or before his or her
28 twelfth birthday; and
29 (D) Has not reached the age of 30 years at the time of enrollment application."

30 **SECTION 3.**

31 Said title is further amended in Code Section 20-4-21, relating to tuition fees, by adding a
32 new subsection to read as follows:

33 "(d)(1) Notwithstanding any other law to the contrary, a student other than a
34 nonimmigrant alien within the meaning of 8 U.S.C. Section 1101 shall be classified for
35 in-state tuition purposes if he or she satisfies all of the following conditions:

- 36 (A) Has graduated from a Georgia high school or obtained a Georgia general
37 educational development (GED) diploma;
38 (B) Has established and maintained domicile in the State of Georgia for four years
39 immediately preceding the first day of classes for the term;
40 (C) Has been physically present in the United States since on or before his or her
41 twelfth birthday; and
42 (D) Has not reached the age of 30 years at the time of enrollment application."

43 **SECTION 4.**

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