

House Bill 888

By: Representative Carpenter of the 4<sup>th</sup>

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 for in-state tuition for postsecondary education for certain noncitizen students; to  
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in  
7 Code Section 20-3-66, relating to determination of in-state resident status of students in the  
8 University System of Georgia for tuition or fees, by revising subsection (e) as follows:

9 "(e)(1) Noncitizen students shall not be classified as in-state for tuition purposes unless  
10 the student is legally in this state and there is evidence to warrant consideration of in-state  
11 classification as determined by the board of regents.;

12 (A) Obtained a high school diploma or state approved high school equivalency (HSE)  
13 diploma in this state;

14 (B) Is legally authorized to work in this state;

15 (C) Has independently established and maintained domicile in this state since  
 16 January 1, 2020, or is the dependent child of a parent who has established and  
 17 maintained domicile in this state since January 1, 2020;

18 (D) Has not been convicted of a felony or a high and aggravated misdemeanor; and

19 (E) Is enrolled in or applying for admission to an institution of the University System  
 20 of Georgia which, for the two most recent academic years, admitted all academically  
 21 qualified applicants.

22 (2) Lawful permanent residents, refugees, asylees, or other eligible noncitizens as  
 23 defined by federal Title IV regulations may be extended the same consideration as  
 24 citizens of the United States in determining whether they qualify for in-state  
 25 classification.

26 (3) International students who reside in the United States under nonimmigrant status  
 27 conditioned at least in part upon intent not to abandon a foreign domicile shall not be  
 28 eligible for in-state classification."

29 **SECTION 2.**

30 Said title is further amended in Code Section 20-4-21, relating to tuition fees in the Technical  
 31 College System of Georgia, by adding a new subsection to read as follows:

32 "(e) Notwithstanding any other law to the contrary, the State Board of the Technical  
 33 College System of Georgia shall classify a noncitizen student as in-state for tuition  
 34 purposes if the student:

35 (1) Obtained a high school diploma or state approved high school equivalency (HSE)  
 36 diploma in this state;

37 (2) Is legally authorized to work in this state;

38 (3) Has independently established and maintained domicile in this state since January 1,  
 39 2020, or is the dependent child of a parent who has established and maintained domicile  
 40 in this state since January 1, 2020;

- 41 (4) Has not been convicted of a felony or a high and aggravated misdemeanor; and  
42 (5) Is enrolled in or applying for admission to a unit of the Technical College System of  
43 Georgia which, for the two most recent academic years, admitted all academically  
44 qualified applicants."

45 **SECTION 3.**

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