

AMENDED IN ASSEMBLY MARCH 20, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1899**

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**Introduced by Assembly Member Mitchell**  
*(Coauthor: Assembly Member Portantino)*  
*(Coauthor: Senator Correa)*

February 22, 2012

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An act to add Sections 68122 ~~and~~, 69504.5, and 76301 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1899, as amended, Mitchell. ~~Nonresident tuition exemption and financial aid eligibility.~~ *Postsecondary education benefits: crime victims.*

Existing law, the Donahoe Higher Education Act, sets forth the missions and functions of the public and independent institutions of higher education. The provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make them applicable. Existing law exempts specified students from paying nonresident tuition at the California State University and the California Community Colleges and establishes financial aid programs for students, as specified. *Existing law requires the governing board of each community college district to charge resident students a fee of \$46 per unit per semester and to waive that fee for specified students.*

This bill would require students who are victims of trafficking, domestic violence, and other serious crimes, ~~as defined,~~ *who have been granted a specified status under federal law*, to be exempt from paying nonresident tuition at the California State University and the California Community Colleges, and to be eligible to apply for, and participate

in, all student financial aid programs and scholarships administered by a public postsecondary educational institution or the State of California, to the same extent as individuals who are admitted to the United States as refugees under specified federal law. The bill would request the University of California to adopt policies that are consistent with ~~the provisions of the bill.~~ *those provisions.* *The bill would also require community college districts to waive the fees of those students to the same extent as individuals who are admitted to the United States as refugees under specified federal law.*

To the extent the bill would place additional requirements on community college districts to exempt those students from nonresident tuition, ~~and~~ administer financial aid programs and scholarships, *and provide fee waivers* to those students, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 68122 is added to the Education Code,
- 2 to read:
- 3 68122. (a) Notwithstanding any other law, students who are
- 4 victims of trafficking, domestic violence, and other serious crimes;
- 5 ~~as defined in subdivision (b) of Section 18945 of the Welfare and~~
- 6 ~~Institutions Code,~~ *who have been granted a status under Section*
- 7 *1101(a)(15)(T)(i) or (ii), or Section 1101(a)(15)(U)(i) or (ii), of*
- 8 *Title 8 of the United States Code* shall be exempt from paying
- 9 nonresident tuition at the California State University and the
- 10 California Community Colleges to the same extent as individuals
- 11 who are admitted to the United States as refugees under Section
- 12 1157 of Title 8 of the United States Code.
- 13 (b) The University of California is requested to adopt policies
- 14 that are consistent with this section.

1 SEC. 2. Section 69504.5 is added to the Education Code, to  
2 read:

3 69504.5. (a) Notwithstanding any other law, students who are  
4 victims of trafficking, domestic violence, and other serious crimes;  
5 as defined in subdivision (b) of Section 18945 of the Welfare and  
6 Institutions Code, who have been granted a status under Section  
7 1101(a)(15)(T)(i) or (ii), or Section 1101(a)(15)(U)(i) or (ii), of  
8 Title 8 of the United States Code shall be eligible to apply for, and  
9 participate in, all student financial aid programs and scholarships  
10 administered by a public postsecondary educational institution or  
11 the State of California to the same extent as individuals who are  
12 admitted to the United States as refugees under Section 1157 of  
13 Title 8 of the United States Code.

14 (b) The University of California is requested to adopt policies  
15 that are consistent with this section.

16 SEC. 3. Section 76301 is added to the Education Code, to read:

17 76301. Notwithstanding any other law, a district shall waive  
18 the fees of a student who is a victim of trafficking, domestic  
19 violence, and other serious crimes who has been granted a status  
20 under Section 1101(a)(15)(T)(i) or (ii), or Section  
21 1101(a)(15)(U)(i) or (ii), of Title 8 of the United States Code to  
22 the same extent as individuals who are admitted to the United  
23 States as refugees under Section 1157 of Title 8 of the United States  
24 Code.

25 ~~SEC. 3.~~

26 SEC. 4. If the Commission on State Mandates determines that  
27 this act contains costs mandated by the state, reimbursement to  
28 local agencies and school districts for those costs shall be made  
29 pursuant to Part 7 (commencing with Section 17500) of Division  
30 4 of Title 2 of the Government Code.