

AMENDED IN ASSEMBLY APRIL 24, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2000**

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**Introduced by Assembly Member Gomez**  
*(Coauthors: Assembly Members Fong and Quirk-Silva)*  
*(Coauthors: Senators Block and Padilla)*

February 20, 2014

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An act to amend Section 68130.5 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2000, as amended, Gomez. Public postsecondary education: exemption from nonresident tuition.

(1) Existing law provides that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and who, if he or she is an alien without lawful immigration status, has filed an ~~affidavit~~ *affidavit*, as specified, is exempt from paying nonresident tuition at the California Community Colleges and the California State University.

This bill would provide that a student ~~could~~ *may* qualify for exemption from nonresident tuition pursuant to the above-referenced provision either by high school attendance in California for 3 or more years or by attainment of ~~high school~~ *credits from a California high school*

equivalent to 3 or more years of full-time high school coursework, in addition to the other conditions referenced above.

Because this bill would require community college districts to determine whether students qualify for exemption from nonresident tuition, it would constitute a state-mandated local program.

(2) 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 68130.5 of the Education Code is  
2 amended to read:

3 68130.5. Notwithstanding any other ~~provision of law~~:

4 (a) A student, other than a nonimmigrant alien within the  
5 meaning of paragraph (15) of subsection (a) of Section 1101 of  
6 Title 8 of the United States Code, who meets all of the following  
7 requirements shall be exempt from paying nonresident tuition at  
8 the California State University and the California Community  
9 Colleges:

10 (1) High school attendance in California for three or more years,  
11 or attainment of ~~high school~~ credits *from a California high school*  
12 equivalent to three or more years of full-time high school  
13 coursework.

14 (2) Graduation from a California high school or attainment of  
15 the equivalent thereof.

16 (3) Registration as an entering student at, or current enrollment  
17 at, an accredited institution of higher education in California not  
18 earlier than the fall semester or quarter of the 2001–02 academic  
19 year.

20 (4) In the case of a person without lawful immigration status,  
21 the filing of an affidavit with the institution of higher education  
22 stating that the student has filed an application to legalize his or

1 her immigration status, or will file an application as soon as he or  
2 she is eligible to do so.

3 (b) A student exempt from nonresident tuition under this section  
4 may be reported by a community college district as a full-time  
5 equivalent student for apportionment purposes.

6 (c) The Board of Governors of the California Community  
7 Colleges and the Trustees of the California State University shall  
8 prescribe rules and regulations for the implementation of this  
9 section.

10 (d) Student information obtained in the implementation of this  
11 section is confidential.

12 SEC. 2. If the Commission on State Mandates determines that  
13 this act contains costs mandated by the state, reimbursement to  
14 local agencies and school districts for those costs shall be made  
15 pursuant to Part 7 (commencing with Section 17500) of Division  
16 4 of Title 2 of the Government Code.