

ASSEMBLY BILL

No. 949

Introduced by Assembly Member Gonzalez

February 26, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 949, as introduced, Gonzalez. Public postsecondary education: exemption from nonresident tuition.

Existing law exempts a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if the student meets certain requirements. Existing law authorizes a community college district to report a student who is exempt from nonresident tuition as a full-time equivalent student for apportionment purposes.

This bill would make a nonsubstantive change to this provision.

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

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 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

- 1 the California State University and the California Community
2 Colleges:
- 3 (1) Satisfaction of either of the following:
 - 4 (A) High school attendance in California for three or more years.
 - 5 (B) Attainment of credits earned in California from a California
6 high school equivalent to three or more years of full-time high
7 school coursework and a total of three or more years of attendance
8 in California elementary schools, California secondary schools,
9 or a combination of those schools.
 - 10 (2) Graduation from a California high school or attainment of
11 the equivalent thereof.
 - 12 (3) Registration as an entering student at, or current enrollment
13 at, an accredited institution of higher education in California not
14 earlier than the fall semester or quarter of the 2001–02 academic
15 year.
 - 16 (4) In the case of a person without lawful immigration status,
17 the filing of an affidavit with the institution of higher education
18 stating that the student has filed an application to legalize his or
19 her immigration status, or will file an application as soon as he or
20 she is eligible to do so.
 - 21 (b) A student *who is* exempt from nonresident tuition under this
22 section may be reported by a community college district as a
23 full-time equivalent student for apportionment purposes.
 - 24 (c) The Board of Governors of the California Community
25 Colleges and the Trustees of the California State University shall
26 prescribe rules and regulations for the implementation of this
27 section.
 - 28 (d) Student information obtained in the implementation of this
29 section is confidential.