

[First Reprint]

SENATE, No. 2479

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JANUARY 14, 2013

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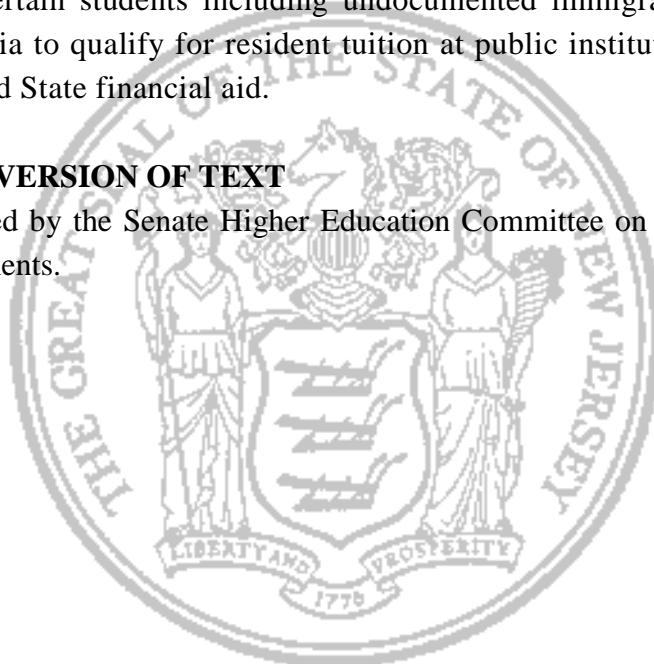
Senators Lesniak, Stack, Buono, Gill, Gordon, Norcross, Codey and Sacco

SYNOPSIS

Allows certain students including undocumented immigrants who meet certain criteria to qualify for resident tuition at public institutions of higher education and State financial aid.

CURRENT VERSION OF TEXT

As reported by the Senate Higher Education Committee on June 27, 2013, with amendments.



(Sponsorship Updated As Of: 11/15/2013)

1 AN ACT concerning tuition rates and financial aid for certain
2 students and supplementing chapter 62 and chapter 71B of Title
3 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. Notwithstanding the provisions of any law or regulation
9 to the contrary, a student, other than a nonimmigrant alien within
10 the meaning of section 101 (a)(15) of the "Immigration and
11 Nationality Act," (8 U.S.C. s.1101(a)(15)), shall be exempt from
12 paying nonresident tuition at a public institution of higher education
13 if the student:

14 (1) attended high school in this State for three or more years;

15 (2) graduated from a high school in this State or received the
16 equivalent of a high school diploma in this State;

17 (3) registers as an entering student or is currently enrolled in a
18 public institution of higher education not earlier than the fall
19 semester of the 2013-2014 academic year; ¹and¹

20 (4) in the case of a person without lawful immigration status,
21 files an affidavit with the institution of higher education stating that
22 the student has filed an application to legalize his immigration
23 status or will file an application as soon as he is eligible to do so ¹**;**
24 and

25 (5) in the case of a person without lawful immigration status,
26 meets the eligibility criteria, and has submitted a request to the
27 United States Citizenship and Immigration Services, for
28 consideration of the United States Department of Homeland
29 Security's deferred action for childhood arrivals process¹.

30 b. Student information obtained in the implementation of this
31 section shall be confidential.

32 c. The Secretary of Higher Education shall adopt rules and
33 regulations pursuant to the "Administrative Procedure Act,"
34 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the
35 provisions of this section.

36
37 2. a. Notwithstanding the provisions of N.J.S.18A:71B-2 or
38 any other law or regulation to the contrary, a student who meets the
39 requirements of section 1 of P.L. , c. (C.) (pending before
40 the Legislature as this bill) is eligible to apply for, and participate
41 in, any student financial aid program administered by the Higher
42 Education Student Assistance Authority ¹or the Secretary of Higher
43 Education¹ to the full extent permitted by federal law. The
44 Legislature finds and declares that this section is a state law within

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHI committee amendments adopted June 27, 2013.

- 1 the meaning of section 411(d) of the “Personal Responsibility and
2 Work Opportunity Reconciliation Act of 1996” (8 U.S.C.
3 s.1621(d)).
- 4 b. The Higher Education Student Assistance Authority ¹and the
5 Secretary of Higher Education¹ shall establish procedures and forms
6 that enable students who meet the requirements of section 1 of
7 P.L. , c. (C.) (pending before the Legislature as this bill) to
8 apply for, and participate in, all student financial aid programs
9 administered by the Higher Education Student Assistance Authority
10 ¹ and the Secretary of Higher Education¹ to the full extent permitted
11 by federal law.
- 12 c. The Higher Education Student Assistance Authority ¹and
13 the Secretary of Higher Education¹ shall adopt rules and regulations
14 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
15 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this
16 section.
- 17
- 18 3. This act shall take effect immediately.