

SENATE BILL No. 554

June 2, 2005, Introduced by Senators THOMAS and CLARKE and referred to the Committee on Education.

A bill to require that state universities classify certain aliens as residents of this state for purposes of charging tuition.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Financial need" means need as determined by a state
3 university based upon a need analysis standard established by the
4 state university. The standard shall take into consideration the
5 financial resources of the student and his or her family.

6 (b) "State university" means a state institution of higher
7 education described in section 4, 5, or 6 of article VIII of the
8 state constitution of 1963.

9 (c) "Tuition" means the quarter or semester charges imposed to
10 attend a state university and all mandatory fees required as a
11 condition of enrollment at that state university.

12 Sec. 2. For tuition purposes, until the individual establishes

1 a residence outside of this state, the governing board of a state
2 university shall classify an individual who is not a citizen or
3 permanent resident of the United States as a resident of this state
4 if all of the following conditions are met:

5 (a) The individual resided with his or her parent or legal
6 guardian while attending a public or private high school in this
7 state.

8 (b) The individual graduated from a public or private high
9 school or received the equivalent of a high school diploma in this
10 state.

11 (c) The individual had resided in this state for at least 3
12 years on the date the individual graduated from high school or
13 received the equivalent of a high school diploma.

14 (d) The individual was not enrolled as an entering student at
15 the state university before the 2004 fall semester.

16 (e) The individual provides to the state university an
17 affidavit stating that the individual will file an application to
18 become a permanent resident of the United States at the earliest
19 opportunity the individual is eligible to do so.

20 Sec. 3. The governing board of a state university shall give
21 an alien who is living in the United States under a visa permitting
22 permanent residence or who has applied to or has a petition pending
23 with the United States immigration and naturalization service to
24 attain lawful status under federal immigration law the same
25 privilege of qualifying for resident status for tuition purposes as
26 a citizen of the United States.

27 Sec. 4. A foreign student enrolled in a state university who

1 is a resident of Mexico and who demonstrates a financial need is
2 entitled to pay tuition at the rate provided for residents of this
3 state.

4 Sec. 5. An individual who is 18 years of age or under or is a
5 dependent and who, along with 1 of the individual's parents, was
6 formerly a resident of this state is entitled to pay tuition at the
7 rate provided for residents of this state if both of the following
8 conditions are met:

9 (a) The individual and the parent with whom the individual
10 primarily resides change their legal residence from this state to
11 another state.

12 (b) The other parent, with whom the individual does not
13 primarily reside, continues to reside in this state and is not
14 delinquent on the payment of any child support.

15 Sec. 6. This act applies only to tuition for a term or
16 semester that begins on or after the effective date of this act.