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SYNOPSIS
Allows certain students including undocumented immigrants who meet certain criteria to qualify for in-State tuition at public institutions of higher education.

CURRENT VERSION OF TEXT
As amended on December 19, 2013 by the Senate pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 12/20/2013)
AN ACT concerning tuition rates and financial aid for certain students and supplementing chapter 62 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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

   (1) attended high school in this State for three or more years;
   (2) graduated from a high school in this State or received the equivalent of a high school diploma in this State;
   (3) registers as an entering student or is currently enrolled in a public institution of higher education not earlier than the fall semester of the 2013-2014 academic year; and
   (4) in the case of a person without lawful immigration status, files an affidavit with the institution of higher education stating that the student has filed an application to legalize his immigration status or will file an application as soon as he is eligible to do so; and
   (5) in the case of a person without lawful immigration status, meets the eligibility criteria, and has submitted a request to the United States Citizenship and Immigration Services, for consideration of the United States Department of Homeland Security’s deferred action for childhood arrivals process.

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

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

2. a. Notwithstanding the provisions of N.J.S.18A:71B-2 or any other law or regulation to the contrary, a student who meets the requirements of section 1 of P.L. , c. (pending before the Legislature as this bill) is eligible to apply for, and participate in, any student financial aid program administered by the Higher Education Student Assistance Authority or the Secretary of Higher

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:

1 Senate SHI committee amendments adopted June 27, 2013.
2 Senate SBA committee amendments adopted November 14, 2013.
3 Senate amendments adopted in accordance with Governor’s recommendations December 19, 2013.
Education to the full extent permitted by federal law. The Legislature finds and declares that this section is a state law within the meaning of section 411(d) of the “Personal Responsibility and Work Opportunity Reconciliation Act of 1996” (8 U.S.C. s.1621(d)).

b. The Higher Education Student Assistance Authority and the Secretary of Higher Education shall establish procedures and forms that enable students who meet the requirements of section 1 of P.L. (pending before the Legislature as this bill) to apply for, and participate in, all student financial aid programs administered by the Higher Education Student Assistance Authority and the Secretary of Higher Education to the full extent permitted by federal law.

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

This act shall take effect immediately and section 2 of this act shall take effect in the 2014-2015 academic year.