SENATE DOCKET, NO. 959 FILED ON: 1/19/2017

SENATE . . . . . No. 668

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure tuition equity for Massachusetts residents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Harriette L. Chandler	*First Worcester*	
Michael J. Moran	*18th Suffolk*	*4/25/2018*
Marjorie C. Decker	*25th Middlesex*	*1/25/2017*
Jason M. Lewis	*Fifth Middlesex*	*1/25/2017*
Jack Lewis	*7th Middlesex*	*1/27/2017*
Ruth B. Balser	*12th Middlesex*	*1/27/2017*
Kay Khan	*11th Middlesex*	*1/31/2017*
James B. Eldridge	*Middlesex and Worcester*	*2/1/2017*
Cynthia Stone Creem	*First Middlesex and Norfolk*	*2/1/2017*
Mary S. Keefe	*15th Worcester*	*2/2/2017*
Daniel M. Donahue	*16th Worcester*	*2/2/2017*
John W. Scibak	*2nd Hampshire*	*2/3/2017*
Jay R. Kaufman	*15th Middlesex*	*2/3/2017*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/3/2017*
Peter V. Kocot	*1st Hampshire*	*9/7/2017*

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By Ms. Chandler, a petition (accompanied by bill, Senate, No. 668) of Harriette L. Chandler, Marjorie C. Decker, Jason M. Lewis, Jack Lewis and other members of the General Court for legislation to ensure tuition equity for Massachusetts residents. Higher Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act to ensure tuition equity for Massachusetts residents.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure certain students continue to receive in state tuition, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 15A of the General Laws, as most recently amended by section 20 of chapter 189 of the acts of 2012, is hereby amended by adding the following section:—

Section 9C(a) Notwithstanding any general or special law to the contrary, for the purpose of determining eligibility for in-state tuition rates and fees at state institutions of higher education in Massachusetts, any person admitted to such state institutions of higher education, other than a nonimmigrant alien within the meaning of paragraph 15 of subsection (a)(A) through (S) of 8 U.S.C., section 1101 of the federal act, who has attended a high school in the commonwealth for 3 or more years and has graduated from a high school in the commonwealth or attained the equivalent thereof from an adult basic education program in the commonwealth, or is currently a student in a Massachusetts public higher education institution qualifying for in-state tuition under

federal regulations, shall be eligible to pay in-state tuition rates and fees, at any state institution of higher education in the commonwealth. (b) Proof required of any such person demonstrating in-state tuition eligibility as determined by the Department of Higher Education may include, but not limited to,: (A) if eligible for the military selective service under the federal Military Selective Service Act, as amended by 50 U.S.C., App. 453, section 3, register for such; (B) provide the state institution of higher education in the commonwealth in which enrollment is sought with documentation of registration with the selective service, if applicable; (C) supply the state institution of higher education in which enrollment is sought with a valid social security number or a document reflecting issuance of an individual taxpayer identification number (ITIN) in lieu of a social security number; (D) file, in every year of enrollment, a Massachusetts income tax return pursuant to chapter 62 of the general laws; and (E) file at the time of enrollment, if that person is not a citizen of the United States or a legal permanent resident of the United States, an affidavit signed under the pains and penalties of perjury stating that the person has applied for citizenship or legal permanent residence or will apply for citizenship or legal permanent residence in accordance with federal statute and federal regulations within 120 days of eligibility for such status. (c) No person qualified for in-state tuition rates and fees under this chapter shall be denied in-state tuition and fees as a result of the granting of eligibility under this paragraph. (d) The Legislature finds that this is a state law within the meaning of 8 U.S.C. 1621(d). Provided further that the Department of Higher Education in collaboration with the public institutions of higher education shall promulgate regulations to facilitate the in-state tuition eligibility process.

This act shall take effect upon passage.