

1 State of Arkansas *As Engrossed: H3/18/19 S4/2/19*
2 92nd General Assembly **A Bill**
3 Regular Session, 2019

HOUSE BILL 1684

4
5 By: Representatives D. Douglas, Godfrey

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7 **For An Act To Be Entitled**

8 AN ACT CONCERNING IN-STATE TUITION AT A STATE-
9 *SUPPORTED INSTITUTION OF HIGHER EDUCATION; TO ALLOW A*
10 *STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TO*
11 *CLASSIFY CERTAIN STUDENTS AS IN-STATE FOR PURPOSES OF*
12 *TUITION AND FEES AT A STATE-SUPPORTED INSTITUTION OF*
13 *HIGHER EDUCATION; AND FOR OTHER PURPOSES.*

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16 **Subtitle**

17 *TO ALLOW A STATE-SUPPORTED INSTITUTION OF*
18 *HIGHER EDUCATION TO CLASSIFY CERTAIN*
19 *STUDENTS AS IN-STATE FOR PURPOSES OF*
20 *TUITION AND FEES AT A STATE-SUPPORTED*
21 *INSTITUTION OF HIGHER EDUCATION.*

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 *SECTION 1. Arkansas Code Title 6, Chapter 60, Subchapter 2, is amended*
27 *to add an additional section to read as follows:*

28 *6-60-215. Nontraditional documented immigration status.*

29 *(a)(1) A state-supported institution of higher education may classify*
30 *a student as in-state, limited to the terms and purpose of tuition and fees*
31 *applicable to all programs of study at the state-supported institution of*
32 *higher education, if the student satisfies one (1) of the following*
33 *requirements:*

34 *(A) The student personally holds or is the child of a*
35 *person who holds a Federal Form I-766 United States Citizenship and*
36 *Immigration Services-issued Employment Authorization Document, known*



1 popularly as a work permit;

2 (B) The student has verified that he or she is a resident
3 legally present in Arkansas and has immigrated from the Republic of the
4 Marshall Islands; or

5 (C)(i) The student's request for an exemption under
6 Deferred Action for Childhood Arrivals has been approved by the United States
7 Department of Homeland Security.

8 (ii) The student's exemption shall not be expired,
9 or shall have been renewed.

10 (2) A student who satisfies one (1) of the requirements under
11 subdivision (a)(1) of this section shall have:

12 (A) Resided in this state for at least three (3) years at
13 the time the student applies for admission to a state-supported institution
14 of higher education; and

15 (B) Either:

16 (i) Graduated from a public or private high school
17 in this state; or

18 (ii) Received a high school equivalency diploma in
19 this state.

20 (b)(1) The Department of Higher Education shall promulgate rules
21 necessary to implement this section.

22 (2)(A) When adopting the initial rules to implement this
23 section, the final rule shall be filed with the Secretary of State for
24 adoption under § 25-15-204(f):

25 (i) On or before January 1, 2020; or

26 (ii) If approval under § 10-3-309 has not occurred
27 by January 1, 2020, as soon as practicable after approval under § 10-3-309.

28 (B) The Department of Higher Education shall file the
29 proposed rule with the Legislative Council under § 10-3-309(c) sufficiently
30 in advance of January 1, 2020, so that the Legislative Council may consider
31 the rule for approval before January 1, 2020.

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34 /s/D. Douglas