

States with Laws Prohibiting or Permitting In-State Tuition for Illegal Aliens

STATE	BILL #	YEAR	DESCRIPTION
Alabama	HB 56	2011	Prohibits illegal aliens from enrolling or attending public postsecondary schools in Alabama or receiving postsecondary education benefits
Arizona	Prop 300 – Ballot Initiative	2006	Prohibits illegal aliens from being eligible for in-state tuition or financial aid that is funded or subsidized by state funds
California	AB 540	2001	Permits in-state tuition for illegal aliens. Requirements: (1) attend a CA high school for 3+ years; (2) graduate from a CA high school or earn a CA GED; and (3) provide affidavit stating student will apply for legalization upon eligibility
Colorado	HB 1023	2006	Prohibits illegal aliens from receiving in-state tuition
Connecticut	HB 6390	2011	Permits in-state tuition for illegal aliens. Requirements: (1) CT residency; (2) attended any educational institution in CT and completed at least four years of high school in the State; (3) graduated from high school in CT or completed a GED; (4) registered as entering student or currently student at University of Connecticut, a public university, a community technical college, or Charter Oak State College; (5) file an affidavit with college stating that student has applied to legalize immigration status or will do so as soon as eligible
Georgia	SB 492	2008	Prohibits illegal aliens from receiving in-state tuition
Illinois	HB 60	2003	Permits in-state tuition for illegal aliens. Requirements: (1) resided in IL with parents or guardian while attending public or private high school; (2) graduated from IL high school or with IL GED; (3) attended IL high school for at least 3 years; (4) registered to enter university no earlier than the Fall 2003 semester; (5) provides university with affidavit stating the illegal alien will file an application to become a permanent resident of U.S. as soon as eligible
	SB 2185	2011	Establishes the DREAM Fund Commission to administer privately funded scholarships to “children of immigrants.” The Commission, appointed by the Governor with advice and consent of the IL Senate, administers and raises money for DREAM Fund. The qualifications for eligibility for DREAM Funds include: (1) resided with parents/guardian while attending school in IL; (2) graduated from high school or received GED in IL; (3) attended school in IL for at least 3 years; and (4) have at least one parent who “immigrated to the United States”

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Indiana	HB 1402	2011	Prohibits illegal aliens from receiving in-state tuition
Kansas	HB 2145	2004	Permits in-state tuition for illegal aliens. Requirements: (1) attended high school for three or more years; (2) graduated from KS high school or obtained KS GED; (3) at time of enrollment, illegal alien is not eligible for resident tuition at post secondary school in another state; (4) provide affidavit stating he will apply for legal residence when eligible
Maryland	SB 167/ HB 470	2011	Permits in-state tuition for illegal aliens. Establishes that specified individuals, including undocumented immigrants, shall be exempt from paying the out-of-state tuition rate at community colleges under specified circumstances; Requires documentation that the student or the student's parent or legal guardian has filed a Maryland income tax return during specified years
Nebraska	LB 239	2006	Permits in-state tuition for illegal aliens. Requirements: (1) resided in NE for at least 3 years prior to high school graduation or obtaining GED; (2) graduated from NE public or private high school or obtain GED; (3) lived with parent/guardian while attending high school; (4) registered as an entering college student not earlier than the Fall 2006 semester; (5) provided affidavit stating intention to become permanent resident at earliest opportunity. If parent ceases to reside in NE, the illegal alien can retain resident status if student has bona fide intention to reside in NE and affidavit needs to be signed by notary
New Mexico	SB 582	2005	Permits in-state tuition for illegal aliens. Requirements: (1) attended NM high school for at least one year; and (2) graduated from NM high school or obtained GED in New Mexico
New York	SB 7784	2002	Permits in-state tuition for illegal aliens. Requirements: (1) attended NY high school for 2+ years; (2) graduated with NY high school diploma or NY GED; (3) applied for college or university within 5 years of graduation or obtained GED from NY; (4) provided affidavit to college or university stating intent to file application for legalization as soon as eligible
Oklahoma	HB 1804	2008	Prohibits illegal aliens from receiving in-state tuition but allows State's Board of Regents to award in-state tuition to illegal aliens who have attended OK high school for at least 2 years and graduated. Requirements: affidavit that states that illegal alien is trying to legalize status or will do so within one year
Rhode Island	Policy enacted by	2011	Permits in-state tuition for illegal aliens. Requirements: (1) attended high school in RI for at least three years; (2) received a high school

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	R.I. Board of Governors for Higher Education		diploma or GED in RI; and (3) sign an affidavit stating intent to seek legal status as soon as eligible
South Carolina	HB 4400	2008	Prohibits illegal aliens from accessing public benefits, including in-state tuition rates
Texas	HB 1403	2001	Set guidelines for becoming a resident of Texas
	SB 1528	2005	Permits in-state tuition for illegal aliens. Requirements: (1) lived in TX 3 years prior to high school graduation or obtaining GED from TX, or resided in TX the full year prior to enrollment in institution of higher education; and (2) provided an affidavit stating intent to apply for legal permanent resident status when eligible
Utah	HB 144	2002	Permits in-state tuition for illegal aliens. Requirements: (1) attended high school in UT for 3+ years; (2) graduated from high school in UT or UT GED; (3) registered as entering student at institution of higher education not earlier than Fall of 2002 semester; (4) filed an affidavit with an institution of higher education stating the illegal alien has filed an application to legalize immigration status or will file application upon becoming eligible
Washington	HB 1079	2003	Permits in-state tuition to illegal aliens. Requirements: (1) resided in WA for at least 3 years; (2) completed full senior year of high school in WA; (3) graduated from WA high school or obtained a WA GED; (4) has lived in WA for 3 full years prior to receiving GED if applicable; (5) has continuously lived in WA immediately after receiving diploma or GED; and (6) provided affidavit stating student will apply for legalization when eligible

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