

February 28, 2007

**H 409. NO IN-STATE TUITION IF UNLAWFULLY IN US.** Filed 2/28/07. *TO CLARIFY THAT PERSONS NOT LAWFULLY IN THE UNITED STATES ARE NOT ELIGIBLE FOR IN-STATE TUITION AT ANY CONSTITUENT INSTITUTION OR AT ANY COMMUNITY COLLEGE.*

Amends GS 116-143.1 clarifying that an individual unlawfully in the US is not eligible to receive in-state tuition rates at any of the constituent institutions of the University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges based on residency. Amends definition of *legal resident* to require the person to be in the US lawfully. Requires admission applicants to make a statement as to whether they are in the US lawfully. Amends GS 115D-39 to prohibit an individual who is in the US illegally from receiving in-state tuition at community colleges based on residency. Clarifies that a nonresident of the US living in North Carolina for a 12-month period who has filed an immigrant petition is classified as a resident for community college tuition only if the person is in the US lawfully. Also clarifies that a person who is lawfully admitted to the US, has satisfied qualifications for assignment to public school, and has graduated from the public school is eligible for in-state community college tuition only if the person is in the US lawfully.

**Intro. by Cleveland.**

GS 115D, 116