

1-1 By: Campbell, et al. S.B. No. 1819
 1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read
 1-3 first time and referred to Subcommittee on Border Security;
 1-4 April 6, 2015, reported adversely, with favorable Committee
 1-5 Substitute to Committee on Veteran Affairs and Military
 1-6 Installations; April 13, 2015, reported adversely, with favorable
 1-7 Committee Substitute by the following vote: Yeas 4, Nays 3;
 1-8 April 13, 2015, sent to printer.)

1-9 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-10				
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16		X		
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1819 By: Campbell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the determination of resident status of students by
 1-22 public institutions of higher education.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 54.052, Education Code, is amended by
 1-25 adding Subsection (c) to read as follows:

1-26 (c) Notwithstanding any other provision of this section, a
 1-27 person who is not authorized under federal statute to be present in
 1-28 the United States may not be considered a resident of this state for
 1-29 purposes of this title.

1-30 SECTION 2. Section 54.053, Education Code, is amended to
 1-31 read as follows:

1-32 Sec. 54.053. INFORMATION REQUIRED TO ESTABLISH RESIDENT
 1-33 STATUS. (a) A person shall submit the following information to an
 1-34 institution of higher education to establish resident status under
 1-35 this subchapter:

1-36 (1) if the person applies for resident status under
 1-37 Section 54.052(a)(1):

1-38 (A) a statement of the dates and length of time
 1-39 the person has resided in this state, as relevant to establish
 1-40 resident status under this subchapter; and

1-41 (B) a statement by the person that the person's
 1-42 presence in this state for that period was for a purpose of
 1-43 establishing and maintaining a domicile;

1-44 (2) if the person applies for resident status under
 1-45 Section 54.052(a)(2):

1-46 (A) a statement of the dates and length of time
 1-47 any parent of the person has resided in this state, as relevant to
 1-48 establish resident status under this subchapter; and

1-49 (B) a statement by the parent or, if the parent is
 1-50 unable or unwilling to provide the statement, a statement by the
 1-51 person that the parent's presence in this state for that period was
 1-52 for a purpose of establishing and maintaining a domicile; or

1-53 (3) if the person applies for resident status under
 1-54 Section 54.052(a)(3):

1-55 (A) a statement of the dates and length of time
 1-56 the person has resided in this state, as relevant to establish
 1-57 resident status under this subchapter; and

1-58 (B) if the person is not a citizen or permanent
 1-59 resident of the United States, an affidavit stating that the person
 1-60 will apply to become a permanent resident of the United States as

2-1 soon as the person becomes eligible to apply.

2-2 (b) In addition to the information required by Subsection
2-3 (a), an institution of higher education may establish a policy
2-4 requiring a person for whom a residency determination is being made
2-5 to submit specific documentation to verify to the satisfaction of
2-6 the institution that the person is authorized under federal statute
2-7 to be present in the United States. A policy adopted under this
2-8 subsection must provide for treating each person in a consistent
2-9 manner concerning:

2-10 (1) whether documentation is required; and

2-11 (2) to the extent practicable, the type of
2-12 documentation required.

2-13 SECTION 3. Section 54.055, Education Code, is amended by
2-14 adding Subsection (c) to read as follows:

2-15 (c) Notwithstanding Subsection (a), an institution of
2-16 higher education may not, on the basis of Section 54.052(c),
2-17 reclassify as a nonresident of this state a student classified as a
2-18 resident under Section 54.052(a)(3) if, not later than the
2-19 beginning of the 2015-2016 academic year, the student has completed
2-20 at least 30 semester credit hours at an institution of higher
2-21 education.

2-22 SECTION 4. Except as provided by Section 54.055(c),
2-23 Education Code, as added by this Act, a public institution of higher
2-24 education in this state may, for any semester or academic term,
2-25 before the beginning of that semester or academic term, reclassify
2-26 as a nonresident a student previously classified as a resident of
2-27 this state by the institution or another public institution of
2-28 higher education in this state before the enactment of Section
2-29 54.052(c), Education Code, as added by this Act, if the student is
2-30 not authorized by law to be present in the United States.

2-31 SECTION 5. This Act takes effect September 1, 2015.

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