

HOUSE BILL REPORT

SB 6849

As Reported by House Committee On:
Higher Education

Title: An act relating to classification as a resident student.

Brief Description: Regarding resident student classification.

Sponsors: Senators Oemig, Weinstein, Tom, Delvin, Shin, Kilmer, Schoesler and Kohl-Welles.

Brief History:

Committee Activity:

Higher Education: 2/21/08, 2/27/08 [DPA].

Brief Summary of Bill
(As Amended by House Committee)

- Broadens the definition of "resident student" for purposes of qualification for in-state tuition rates and requires a report to the Legislature on the implementation of the change prior to the act's expiration in 2013.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass as amended. Signed by 7 members: Representatives Wallace, Chair; Sells, Vice Chair; Anderson, Ranking Minority Member; Hankins, McIntire, Schmick and Sommers.

Minority Report: Do not pass. Signed by 2 members: Representatives Hasegawa and Roberts.

Staff: Andi Smith (786-7304).

Background:

Resident Student

Current state law outlines various definitions of "resident student" that would qualify an individual to receive in-state tuition rates. Examples include: (1) an individual that has established a domicile in Washington for one year immediately prior to the first day of class for which the student has registered; (2) a dependent student whose parents have a domicile in

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Washington for one year prior to the start of class; (3) a student who has spent at least 75 percent of both his or her junior and senior years in in-state high schools, whose parents maintained a domicile in Washington for at least one year in the five-year period preceding the student's enrollment, and who enrolled in college within six months of leaving high school; (4) any person who has completed the senior year, received a diploma or its equivalent, continuously lived in Washington three years prior to receiving the diploma, and who provides an affidavit indicating that he or she will file an application to become a permanent resident; and (5) a student who is on active military duty, their spouse or dependent.

Non-Immigrant Visas

There are many classifications of non-immigrant visas issued by the U.S. State Department. The H-1B is a temporary worker classification that applies a person in a specialty occupation, which requires the theoretical and practical application of a body of specialized knowledge requiring completion of a specific course of higher education or as a fashion model. The classification also applies to temporary workers in some programs administered by the Department of Defense. The E-3 classification applies to nationals of Australia who enter the United States to work solely in specialty occupations requiring a Bachelors degree or higher, as well as their spouses and children. The L classification applies to intracompany transferees who, within the previous three years have been employed continuously for one year and who will be employed by a branch, parent, affiliate, or subsidiary of that same employer in a managerial, executive, or specialized knowledge capacity.

Summary of Amended Bill:

The definition of "resident student" for the purposes of determining whether a student pays resident tuition rates at Washington institutions of higher education is expanded. An individual qualifies as a "resident student" if the person has lived in Washington for at least one year and holds either an H-1B, E-3, or L visa. The spouse or child of a person holding an H-1B, E-3, or L visa also qualifies as a resident student, if the person holds lawful nonimmigrant status.

The State Board for Community and Technical Colleges (SBCTC) and the public, four-year institutions of higher education must report on the impact of the expansion of the definition of resident student by December 1, 2012. The act expires on June 30, 2013.

Amended Bill Compared to Original Bill:

The amended bill provides that the SBCTC and the public, four-year institutions report on the implementation of the expansion of the definition of resident student by December 1, 2012. The amended bill expires on June 30, 2013.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect July 1, 2008.

Staff Summary of Public Testimony:

(In support) This bill helps to retain people after we have attracted some of the best and brightest people from around the world. It allows the family of these well-trained workers to become part of the community and stick around. Washington employers frequently use targeted work visas to hire people from abroad in critical shortage areas, this is another recruiting tool. There are some people who already qualify for in-state tuition on visas, this adds different categories. It is a modest increase to what already exists.

(Opposed) None.

Persons Testifying: Senator Oemig, prime sponsor; and Lydia Tamez, Microsoft.

Persons Signed In To Testify But Not Testifying: None.