

# SENATE BILL REPORT

## SB 5158

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As Reported By Senate Committee On:  
Higher Education, February 6, 2003

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

**Brief Description:** Expanding the definition of resident student for purposes of higher education.

**Sponsors:** Senators Carlson, McAuliffe, Hewitt, Kohl-Welles, Sheahan, West, Winsley, Johnson, Oke, Hale, Parlette, Mulliken, Brown, Schmidt, B. Sheldon and Shin.

**Brief History:**

**Committee Activity:** Higher Education: 1/27/03 [DPS]

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### SENATE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5158 be substituted therefor, and the substitute bill do pass.

Signed by Senators Carlson, Chair; Schmidt, Vice Chair; Kohl-Welles, Mulliken, B. Sheldon and Shin.

**Staff:** Heather Lewis-Lechner (786-7448)

**Background:** Under current Washington law, some children who were born outside of Washington but have attended and graduated from a Washington high school are required to pay the higher nonresident tuition rate at a Washington public university or college.

**Summary of Substitute Bill:** Any person who has completed a full senior year at a Washington high school and obtained a diploma from that high school, or any person that has received the equivalent of a high school diploma, is permitted to pay resident tuition at Washington public universities and colleges if the person has lived in the state for at least three years immediately prior to receiving the diploma or its equivalent. After receiving the diploma or its equivalent, the person must live in the state of Washington continuously up until such time as he or she is admitted to a higher education institution. The person must also provide to the institution an affidavit indicating a willingness to file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so, and must also indicate a willingness to engage in the activities necessary to become a citizen of the United States, including taking citizenship review courses.

**Substitute Bill Compared to Original Bill:** The requirement that the student or individual must be admitted to an institution of higher education within a year of receiving his or her diploma, or its equivalent, is removed. A requirement that the three years living in Washington be immediately prior to receiving the diploma, or its equivalent, is added, as well as a requirement that after receiving the diploma or its equivalent, the person must live in the state of Washington continuously up until such time as he or she is admitted to a higher

education institution. The affidavit must now also include an indication of the student's willingness to engage in the activities necessary to become a citizen of the United States, including taking citizenship review courses. The intent language is rewritten to more accurately reflect the requirements of the bill.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2003.

**Testimony For:** This bill is not about special rights; it is about equity, fairness and the American dream. A person should be able to know they can succeed if they work hard. Right now we are investing in these students' K-12 education only to close the door on them after they graduate from high school. Many of these students are achieving great things in high school and graduating at the top of their class, but because of money, can go no further. This bill would give students an incentive to work harder and achieve even more, knowing that they will be able to go on to college. This bill is a way to create a strong and more diverse work force and it will positively impact our state's economy. There is some concern over the requirement that the student must be admitted to a college or university within one year of receiving the diploma or its equivalent because many of these students come from lower income families and need time to work and raise money for tuition. It would be good to see family mentioned in the bill since we are talking about families that come to our country. It would also be good to see language in the intent section regarding the requirement that the person live in Washington for three years because we want to make it clear that we do not want this bill to apply to international students.

**Testimony Against:** None.

**Testified:** Senator Carlson, prime sponsor; Armando Muguia, WSL; Alexandra Narvaez, Ben Medina, ASUW; Antonio Ginatta, Commission on Hispanic Affairs; Dick Thompson, UW; Tom Woodnutt, SBCTC; Debora Merle, Governor's Policy Office; Bruce Botka, HECB; Larry Ganders, WSU; Dan Steele, WSSDA; Ricardo Sanchez, LEAP.