

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1702

Short Title: Comm. Coll. Tuition/Legal Immigrants.

(Public)

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Sponsors: Representatives Easterling, C. Wilson (Primary Sponsors); Earle, Baddour, and Redwine.

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Referred to: Rules, Calendar, and Operations of the House.

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May 25, 2000

A BILL TO BE ENTITLED

1 AN ACT TO ADDRESS THE EDUCATIONAL NEEDS OF LEGAL IMMIGRANTS  
2 RESIDING IN NORTH CAROLINA BY CONSIDERING THEM STATE  
3 RESIDENTS FOR COMMUNITY COLLEGE TUITION PURPOSES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 115D-39 reads as rewritten:

6 **"§ 115D-39. Student tuition and fees.**

7 The State Board of Community Colleges shall fix and regulate all tuition and fees  
8 charged to students for applying to or attending any institution pursuant to this Chapter.

9 The receipts from all student tuition and fees, other than student activity fees, shall be  
10 State funds and shall be deposited as provided by regulations of the State Board of  
11 Community Colleges.

12 The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and  
13 G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this  
14 Chapter; provided, however, that when an employer other than the armed services, as that  
15 term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution  
16 operating pursuant to this Chapter and when the employee works at a North Carolina  
17 business location, the employer shall be charged the in-State tuition rate; provided  
18 further, however, a community college may charge in-State tuition to up to one percent  
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1 (1%) of its out-of-state students, rounded up to the next whole number, to accommodate  
2 the families transferred by business, the families transferred by industry, or the civilian  
3 families transferred by the military, consistent with the provisions of G.S. 116-143.3, into  
4 the State. Notwithstanding these requirements, a refugee who lawfully entered the United  
5 States and who is living in this State shall be deemed to qualify as a domiciliary of this  
6 State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition  
7 purposes as defined in G.S. 116-143.1(a)(2). Also, a nonresident of the United States who  
8 has resided in North Carolina for a 12-month qualifying period and has filed an  
9 immigrant petition with the United States Immigration and Naturalization Service shall  
10 be considered a State resident for community college tuition purposes."

11 Section 2. This act becomes effective July 1, 2000.