

Enrolled Senate Bill 449

Sponsored by Senator BONHAM; Senators HAYDEN, LIEBER, THATCHER, WEBER, Representatives BOWMAN, ELMER, HUDSON, KROPF, RESCHKE, WRIGHT (Presession filed.)

CHAPTER

AN ACT

Relating to amount paid to attend institutions of higher education by persons formerly in adoptive care; creating new provisions; amending ORS 350.300; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 350.300, as amended by section 2, chapter 42, Oregon Laws 2022, is amended to read:

350.300. (1) Notwithstanding ORS 341.290, 352.105 or 353.050, a student who is a current foster child, [or] former foster child **or adopted former foster child** or a current homeless youth or former homeless youth, under 25 years of age and enrolled in courses totaling one or more credit hours at an institution of higher education as an undergraduate student shall have the amount of tuition and all fees levied against the student waived if attending an institution of higher education for purposes of pursuing an initial undergraduate degree.

(2) A student is entitled to waiver of tuition and all fees under subsection (1) of this section until the student has received the equivalent of four years of undergraduate education.

(3) As a condition of receiving a tuition waiver for an academic year, the student must complete and submit the Free Application for Federal Student Aid (FAFSA) for that academic year.

(4) A waiver of tuition and all fees under subsection (1) of this section may be reduced by the amount of any federal aid scholarships or grants, an award from the Oregon Opportunity Grant program established under ORS 348.205 and any other aid received from the institution of higher education. For the purposes of this subsection, “federal aid scholarships or grants” does not include Chafee Educational and Training Voucher Program grants under 42 U.S.C. 677.

(5) As used in this section:

(a) **“Adopted former foster child” means an individual who, for a total of six or more months, was:**

(A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e) and in the legal custody of the Department of Human Services for out-of-home placement prior to becoming an adopted child; or

(B) An Indian child subject to ORS 419B.600 to 419B.654, under the jurisdiction of a tribal court for out-of-home placement prior to becoming an adopted child.

[(a)] (b) “Former foster child” means an individual who, for a total of six or more months while between 14 and 21 years of age, was:

(A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e), in the legal custody of the Department of Human Services for out-of-home placement and not dismissed from care before reaching 16 years of age; or

(B) An Indian child subject to ORS 419B.600 to 419B.654, under the jurisdiction of a tribal court for out-of-home placement and not dismissed from care before reaching 16 years of age.

[(b)] (c) "Homeless youth" means a person who:

(A) Experienced homelessness for a total of six or more months while between 14 and 24 years of age;

(B) While experiencing homelessness as described in subparagraph (A) of this paragraph, received services from an organization contracted by the Department of Human Services to provide services to homeless persons or from a host home, as defined by the department by rule; and

(C) Was at least 16 years of age when the person last received the services described in subparagraph (B) of this paragraph.

[(c)] (d) "Institution of higher education" means:

(A) A public university listed in ORS 352.002;

(B) A community college operated under ORS chapter 341; or

(C) The Oregon Health and Science University.

SECTION 2. The amendments to ORS 350.300 by section 1 of this 2023 Act first apply to the 2023-2024 academic year.

SECTION 3. (1) An adopted former foster child who enrolls in an institution of higher education as an undergraduate student is eligible to have the amount of tuition and all fees levied against the student waived in the manner set forth in ORS 350.300 if the adopted former foster child became an adopted child on or after January 1, 2012.

(2) Nothing in this section authorizes or requires an institution of higher education to reimburse an adopted former foster child for tuition or fees previously paid to the institution.

(3) As used in this section, "adopted former foster child" and "institution of higher education" have the meanings given those terms in ORS 350.300.

SECTION 4. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate April 13, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 25, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State