

# Senate Bill 449

Sponsored by Senator BONHAM (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits adopted former foster children to have amount of tuition and all fees waived if attending defined institutions of higher education for purposes of pursuing initial undergraduate degree. Defines "adopted former foster child."

Permits adopted former foster children previously ineligible for waiver of tuition due to being adopted to be eligible for waiver if adoption occurred on or after January 1, 2012.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to amount paid to attend institutions of higher education by persons formerly in adoptive  
3 care; creating new provisions; amending ORS 350.300; and declaring an emergency.

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

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

7 350.300. (1) Notwithstanding ORS 341.290, 352.105 or 353.050, a student who is a current foster  
8 child, [*or*] former foster child **or adopted former foster child** or a current homeless youth or for-  
9 mer homeless youth, under 25 years of age and enrolled in courses totaling one or more credit hours  
10 at an institution of higher education as an undergraduate student shall have the amount of tuition  
11 and all fees levied against the student waived if attending an institution of higher education for  
12 purposes of pursuing an initial undergraduate degree.

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

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

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

22 (5) As used in this section:

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

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

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

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

3 (A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e), in the legal custody of the De-  
4 partment of Human Services for out-of-home placement and not dismissed from care before reaching  
5 16 years of age; or

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

8 [(b)] (c) “Homeless youth” means a person who:

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

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

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

16 [(c)] (d) “Institution of higher education” means:

17 (A) A public university listed in ORS 352.002;

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

19 (C) The Oregon Health and Science University.

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

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

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

29 **(3) As used in this section, “adopted former foster child” and “institution of higher edu-**  
30 **cation” have the meanings given those terms in ORS 350.300.**

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

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