

A-Engrossed
House Bill 2586

Ordered by the House March 5
Including House Amendments dated March 5

Sponsored by Representative HUDSON, Senator CAMPOS; Representative WATANABE (Presession 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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows for in-state higher learning costs for students who are seeking asylum in the U.S. (Flesch Readability Score: 65.1).

Permits an asylum seeker who is a student at a public university in this state **or Oregon Health and Science University** to receive an exemption from nonresident tuition and fees.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to nonresident tuition exemption for asylum seekers; amending ORS 352.287 and 353.123;
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 352.287 is amended to read:

6 352.287. (1) The governing board of a public university listed in ORS 352.002 shall exempt a
7 student who is not a citizen or a lawful permanent resident of the United States from paying non-
8 resident tuition and fees for enrollment as an undergraduate student and as a graduate student in
9 a degree program at a public university listed in ORS 352.002 if the student:

10 (a) During each of the three years immediately prior to receiving a high school diploma or a
11 modified diploma or leaving school before receiving a high school diploma or a modified diploma,
12 attended an elementary or a secondary school in this state;

13 (b) During each of the five years immediately prior to receiving a high school diploma or a
14 modified diploma or leaving school before receiving a high school diploma or a modified diploma,
15 attended an elementary or a secondary school in any state or territory of the United States, the
16 District of Columbia or the Commonwealth of Puerto Rico;

17 (c) Received a high school diploma or a modified diploma from a secondary school in this state
18 or received the equivalent of a high school diploma; and

19 (d) Shows intention to become a citizen or a lawful permanent resident of the United States by
20 submitting to the public university the student attends or plans to attend an official copy of the
21 student's application to register with a federal immigration program or federal deportation deferral
22 program or a statement of intent that the student will seek to obtain citizenship as permitted under
23 federal law.

24 (2) The governing board shall exempt a student who is financially dependent upon a person who
25 is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition
26 and fees for enrollment as an undergraduate student and as a graduate student in a degree program

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 at a public university listed in ORS 352.002 if the student:

2 (a) During each of the three years immediately prior to receiving a high school diploma or a
3 modified diploma or leaving school before receiving a high school diploma or a modified diploma,
4 attended an elementary or a secondary school in this state and resided in this state with the person
5 upon whom the student is dependent;

6 (b) During each of the five years immediately prior to receiving a high school diploma or a
7 modified diploma or leaving school before receiving a high school diploma or a modified diploma,
8 attended an elementary or a secondary school in any state or territory of the United States, the
9 District of Columbia or the Commonwealth of Puerto Rico and resided with the person upon whom
10 the student is dependent;

11 (c) Received a high school diploma or a modified diploma from a secondary school in this state
12 or received the equivalent of a high school diploma; and

13 (d) For a student who is not already a citizen or lawful permanent resident of the United States,
14 shows intention to become a citizen or a lawful permanent resident of the United States by submit-
15 ting to the public university the student attends or plans to attend an official copy of the student's
16 application to register with a federal immigration program or federal deportation deferral program
17 or a statement of intent that the student will seek to obtain citizenship as permitted under federal
18 law.

19 (3) A student who is a citizen or a lawful permanent resident of the United States and who has
20 resided outside of Oregon for more than three years while serving in the Armed Forces of the
21 United States, but who otherwise meets the requirements of subsection (1) or (2) of this section, shall
22 qualify for exemption from nonresident tuition and fees for enrollment as an undergraduate student
23 and a graduate student in a degree program at a public university listed in ORS 352.002 without
24 having to reestablish residency in Oregon.

25 (4) A student who is a COFA islander and who has not previously established residence in any
26 state or territory of the United States or the District of Columbia other than Oregon shall qualify
27 for exemption from nonresident tuition and fees for enrollment as an undergraduate student and a
28 graduate student in a degree program at a public university listed in ORS 352.002.

29 (5) A student who is a refugee, **asylum seeker** or special immigrant visa holder and who has
30 not previously established residence in any state or territory of the United States or the District
31 of Columbia other than Oregon shall qualify for exemption from nonresident tuition and fees for
32 enrollment as an undergraduate student and a graduate student in a degree program at a public
33 university listed in ORS 352.002.

34 (6) The governing board shall adopt standards to implement the provisions of this section.

35 (7) Not later than July 1 of each year, the Higher Education Coordinating Commission shall
36 report to the Speaker of the House of Representatives, the President of the Senate and the interim
37 committees of the Legislative Assembly with subject matter authority over higher education, for the
38 preceding academic year:

39 (a) The number of students that applied and were accepted into public universities under sub-
40 sections (1) to (5) of this section; and

41 (b) The financial impact of subsections (1) to (5) of this section on public universities listed in
42 ORS 352.002.

43 (8) A student who is not a citizen or a lawful permanent resident of the United States, or who
44 is a refugee, special immigrant visa holder or COFA islander, is eligible to receive scholarships and
45 other financial aid from public universities listed in ORS 352.002.

1 (9) As used in this section:

2 (a) **“Asylum seeker” means an individual with a pending application for asylum under 8**
3 **U.S.C. 1158.**

4 [(a)] (b) **“COFA islander”** means an individual who legally entered the United States under a
5 Compact of Free Association treaty between the United States and any of the following countries:

6 (A) The Republic of Palau;

7 (B) The Republic of the Marshall Islands; or

8 (C) The Federated States of Micronesia.

9 [(b)] (c) **“Refugee”** means an individual who is granted refugee status for admission to the
10 United States by the United States Citizenship and Immigration Services.

11 [(c)] (d) **“Special immigrant visa holder”** means:

12 (A) An individual from Iraq or Afghanistan who was provided with the status of special immi-
13 grant by the United States Department of Homeland Security under:

14 (i) Section 1059(a) of the National Defense Authorization Act for Fiscal Year 2006, P.L. 109-163,
15 119 Stat. 3444;

16 (ii) Section 1244(b) of the Refugee Crisis in Iraq Act of 2007, P.L. 110-181, 122 Stat. 397; or

17 (iii) Section 602(b) of the Afghan Allies Protection Act of 2009, P.L. 111-8, 123 Stat. 807; or

18 (B) An individual who is granted humanitarian parole, asylum, conditional permanent residency
19 or temporary protected status by the United States Department of Homeland Security or other fed-
20 eral agency.

21 **SECTION 2.** ORS 353.123 is amended to read:

22 353.123. (1)(a) Except as provided in paragraphs (b) and (c) of this subsection, the Oregon Health
23 and Science University Board of Directors may exempt a student who is not a citizen or a lawful
24 permanent resident of the United States from paying nonresident tuition and fees for enrollment at
25 Oregon Health and Science University consistent with policies adopted by the board or by university
26 officials acting under authority of the board.

27 (b) A student who is a COFA islander and who has not previously established residence in any
28 state or territory of the United States or the District of Columbia other than Oregon shall qualify
29 for exemption from nonresident tuition and fees for enrollment as an undergraduate student and as
30 a graduate student in a degree program at Oregon Health and Science University.

31 (c) A student who is a refugee, **asylum seeker** or special immigrant visa holder and who has
32 not previously established residence in any state or territory of the United States or the District
33 of Columbia other than Oregon shall qualify for exemption from nonresident tuition and fees for
34 enrollment as an undergraduate student and as a graduate student in a degree program at Oregon
35 Health and Science University.

36 (2) A student who is not a citizen or a lawful permanent resident of the United States, or who
37 is a refugee, **asylum seeker**, special immigrant visa holder or COFA islander, is eligible to receive
38 scholarships and other financial aid from the university consistent with policies adopted by the
39 board or university officials acting under the authority of the board.

40 (3) As used in this section, **“asylum seeker,”** **“COFA islander,”** **“refugee”** and **“special immi-**
41 **grant visa holder”** have the meanings given those terms in ORS 352.287.

42 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**
43 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
44 **on its passage.**