

HOUSE No. 1352

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran and Adrian C. Madaro

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure tuition equity for Massachusetts residents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Moran</i>	<i>18th Suffolk</i>	<i>2/12/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>2/12/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/26/2021</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>3/1/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/1/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>

HOUSE No. 1352

By Messrs. Moran of Boston and Madaro of Boston, a petition (accompanied by bill, House, No. 1352) of Michael J. Moran, Adrian C. Madaro and others relative to in-state tuition rates and fees at public institutions of higher education. Higher Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1236 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to ensure tuition equity for Massachusetts residents.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15A of the General Laws, as most recently amended by section 20 of chapter 189
2 of the acts of 2012, is hereby amended by adding the following section:—

3 Section 9C(a) Notwithstanding any general or special law to the contrary, for the purpose
4 of determining eligibility for in-state tuition rates and fees at state institutions of higher education
5 in Massachusetts, any person admitted to such state institutions of higher education, other than a
6 nonimmigrant alien within the meaning of paragraph 15 of subsection (a)(A) through (S) of 8
7 U.S.C., section 1101 of the federal act, who has attended a high school in the commonwealth for
8 3 or more years and has graduated from a high school in the commonwealth or attained the
9 equivalent thereof from an adult basic education program in the commonwealth, or is currently a
10 student in a Massachusetts public higher education institution qualifying for in-state tuition under

11 federal regulations, shall be eligible to pay in-state tuition rates and fees, at any state institution
12 of higher education in the commonwealth. (b) Proof required of any such person demonstrating
13 in-state tuition eligibility as determined by the Department of Higher Education may include, but
14 not limited to,: (A) if eligible for the military selective service under the federal Military
15 Selective Service Act, as amended by 50 U.S.C., App. 453, section 3, register for such; (B)
16 provide the state institution of higher education in the commonwealth in which enrollment is
17 sought with documentation of registration with the selective service, if applicable; (C) supply the
18 state institution of higher education in which enrollment is sought with a valid social security
19 number or a document reflecting issuance of an individual taxpayer identification number (ITIN)
20 in lieu of a social security number; (D) file, in every year of enrollment, a Massachusetts income
21 tax return pursuant to chapter 62 of the general laws; and (E) file at the time of enrollment, if that
22 person is not a citizen of the United States or a legal permanent resident of the United States, an
23 affidavit signed under the pains and penalties of perjury stating that the person has applied for
24 citizenship or legal permanent residence or will apply for citizenship or legal permanent
25 residence in accordance with federal statute and federal regulations within 120 days of eligibility
26 for such status. (c) No person qualified for in-state tuition rates and fees under this chapter shall
27 be denied in-state tuition and fees as a result of the granting of eligibility under this paragraph.
28 (d) The Legislature finds that this is a state law within the meaning of 8 U.S.C. 1621(d).
29 Provided further that the Department of Higher Education in collaboration with the public
30 institutions of higher education shall promulgate regulations to facilitate the in-state tuition
31 eligibility process.

32 This act shall take effect upon passage.