

HCS HB 1463 -- ENROLLMENT OF ILLEGAL ALIENS TO INSTITUTIONS OF HIGHER EDUCATION

SPONSOR: Nolte

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Immigration by a vote of 9 to 5.

This substitute prohibits the enrollment of unlawfully present aliens in public institutions of higher education. The registrar of each institution must annually certify to the appropriation committees of the General Assembly that the institution has not knowingly enrolled any illegal alien prior to the approval of any appropriations.

The substitute allows students with permanent residency status to attend public institutions of higher education if they otherwise meet the enrollment requirements and allows them to be eligible for in-state tuition if they establish state residency.

An immigrant residing in Missouri who has a pending application for permanent residency status or a student visa will be allowed to enroll provisionally at a public institution of higher education and to attend classes if the person meets the entrance requirements but will not be eligible for in-state tuition. If the application for permanent residency status or a student visa is denied, the student may complete the semester but cannot re-enroll for classes until legal status is obtained. A student cannot receive a degree while an application is pending.

FISCAL NOTE: Not available at time of printing.

PROPOSERS: Supporters say that there are legal and policy reasons why the bill is needed. Taking taxpayer money to subsidize the education of a person who cannot be hired legally after graduation is a problem. Colleges should not enable illegal aliens to remain in the country because that creates liability for the college.

Testifying for the bill were Representative Nolte; Kris Kobach; and Missourians Against Illegal Immigration.

OPPOSERS: Those who oppose the bill say that it affects mostly young persons who have no responsibility for being brought to the United States illegally as children. The bill is punitive rather than remedial because it is not addressing a known, existing problem. Missouri would be the first state to prohibit undocumented students from attending institutes of higher education. Barring these students will leave the academic environment less diversified and well-rounded for all Missouri

students. Education officials should not have to act like immigration enforcement officers.

Testifying against the bill were Missouri Catholic Conference; Catholic Charities Archdiocese of St. Louis; Joan Suarez, Missouri Immigrant and Refugee Advocates; American Civil Liberties Union of Eastern Missouri; Service Employees International Union, Missouri/Kansas State Council; and Missouri Association for Social Welfare.

OTHERS: Others testifying on the bill say that the University of Missouri System prefers that the bill use the term "enroll" rather than "admit." It would save the university a lot of time, trouble, and money.

Testifying on the bill was Barbara Rupp, University of Missouri-Columbia.