By Mr. Barrios, a petition (accompanied by bill, Senate, No. 237) of Jarrett T. Barrios, Pamela P. Resor, Susan C. Fargo, Marie P. St. Fleur and other members of the General Court for legislation to establish residency requirements for higher education. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT RELATING TO THE ELIGIBILITY OF CERTAIN PERSONS TO QUALIFY AS RESIDENTS OF THIS STATE FOR PURPOSES OF HIGHER EDUCATION TUITION.

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

SECTION 1. Said chapter 15A is hereby amended by inserting after section 40 the following section:—

Section 41. Notwithstanding any other provision of law to the contrary, a student — other than a nonimmigrant alien within the meaning of paragraph 15 of subsection (a) of Section 1101 of Title 8 of the United States Code with a foreign residence — shall be eligible for in-state tuition at institutions of public higher education within the Commonwealth of Massachusetts if such student has attended high school in Massachusetts for three or more years and such student has achieved graduation from a Massachusetts high school or attained the equivalent thereof.

SECTION 2. This act shall take effect immediately.