

Date of Hearing: April 3, 2018

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2210 (McCarty) – As Amended March 15, 2018

**SUBJECT:** Public postsecondary education: holders of certain special immigrant visas

**SUMMARY:** This technical clean-up bill adds a reference to a specific federal law to legislation enacted last year that exempts a student who is a refugee or a special immigrant visa (SIV) holder from Iraq and Afghanistan, as defined, and who upon entering the United States settled in California, from paying nonresident fees at a California Community College (CCC) up to the minimum time necessary to become a resident.

**EXISTING LAW:** Exempts a CCC student who has an SIV that has been granted a status under Section 1244 of Public Law 110-181 or under Public Law 109-163, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who, upon entering the United States, settled in California, from paying the nonresident tuition fee for the length of time he or she lives in this state up to the minimum time necessary to become a resident (typically one year). (Education Code Section 68075.6.)

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Background.* Last year, Chapter 491, Statutes of 2017 (AB 343, McCarty) provided the nonresident tuition exemption described above for refugees and SIV holders from Iraq and Afghanistan. In carrying that legislation, the author argued these individuals and families "have escaped war and persecution in order to improve the lives of their family, but encounter numerous barriers when assimilating into the United States such as the cost of higher education."

*Purpose.* This clean-up measure simply adds to the above statute a reference to Section 602(b) of Title VI of Division F of Public Law 111-8, which is known as the Afghan Allies Protection Act of 2009. AB 343 included the federal code citation for Iraqi SIVs but mistakenly omitted this federal code section for Afghani SIVs. AB 2210 thus fulfills the intent of AB 343.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

American Academy of Pediatrics, California

**Opposition**

None on file.

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