



Bill Number: H.B. 2091

Quezada Floor Amendment

Reference to: House engrossed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

The Quezada floor amendment to HB 2091 extends eligibility for in-state tuition to students eligible for the federal Deferred Action for Childhood Arrivals program. The amendment contains a ballot referral to the November 2016 general election with a conditional enactment.

Amendment explanation prepared by Jeff Winkler

3/24/2015

QUEZADA FLOOR AMENDMENT
SENATE AMENDMENTS TO H.B. 2091
(Reference to House engrossed bill)

1 Page 1, line 34, after "must" insert "MEET THE REQUIREMENTS PRESCRIBED IN
2 SUBSECTION J OF THIS SECTION OR"

3 Page 3, between lines 22 and 23, insert:

4 "J. REGARDLESS OF IMMIGRATION STATUS, AN UNDOCUMENTED PERSON WHO
5 ENTERED THIS STATE BEFORE REACHING SIXTEEN YEARS OF AGE AND WHO HAS
6 PREVIOUSLY BEEN A RESIDENT OF THE UNITED STATES FOR AT LEAST FIVE YEARS SHALL
7 BE CLASSIFIED AS AN IN-STATE STUDENT OR A RESIDENT OF THE COUNTY IF ALL OF
8 THE FOLLOWING APPLY:

- 9 1. THE PERSON MEETS AT LEAST ONE OF THE FOLLOWING CRITERIA:
10 (a) IS CURRENTLY ENROLLED IN A PUBLIC OR PRIVATE SCHOOL.
11 (b) HAS GRADUATED FROM HIGH SCHOOL.
12 (c) HAS OBTAINED A GENERAL EQUIVALENCY DIPLOMA.
13 (d) IS AN HONORABLY DISCHARGED VETERAN OF ANY BRANCH OF THE ARMED
14 FORCES OF THE UNITED STATES.
15 2. THE PERSON HAS NOT BEEN CONVICTED OF A FELONY.
16 3. THE PERSON IS UNDER THIRTY-ONE YEARS OF AGE."

17 Page 4, strike lines 24 through 27, insert:

18 "Sec. 3. Section 15-1803, Arizona Revised Statutes, is amended to
19 read:

20 15-1803. Alien in-state student status; rules; eligibility;
21 confidentiality

22 A. An alien is entitled to classification as an in-state refugee
23 student if ~~such~~ THAT person has been granted refugee status in accordance
24 with all applicable laws of the United States and has met all other
25 requirements for domicile.

26 ~~B. In accordance with the illegal immigration reform and immigrant~~
27 ~~responsibility act of 1996 (P.L. 104-208; 110 Stat. 3009), a person who was~~
28 ~~not a citizen or legal resident of the United States or who is without lawful~~
29 ~~immigration status is not entitled to classification as an in-state student~~
30 ~~pursuant to section 15-1802 or entitled to classification as a county~~
31 ~~resident pursuant to section 15-1802.01.~~

1 C. ~~Each community college and university shall report on December 31~~
2 ~~and June 30 of each year to the joint legislative budget committee the total~~
3 ~~number of students who were entitled to classification as an in-state student~~
4 ~~and the total number of students who were not entitled to classification as~~
5 ~~an in-state student under this section because the student was not a citizen~~
6 ~~or legal resident of the United States or is without lawful immigration~~
7 ~~status.~~

8 B. REGARDLESS OF THE PERSON'S IMMIGRATION STATUS, A PERSON WHO ENTERED
9 THIS STATE AS A MINOR, WHO IS ENTITLED TO CLASSIFICATION AS AN IN-STATE
10 STUDENT PURSUANT TO SECTION 15-1802 OR AS A RESIDENT FOR TUITION PURPOSES
11 PURSUANT TO SECTION 15-1802.01, WHO HAS NOT BEEN PREVIOUSLY CONVICTED OF A
12 FELONY AND WHO IS ELIGIBLE FOR ADMISSION TO A UNIVERSITY UNDER THE
13 JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR TO A COMMUNITY COLLEGE UNDER
14 THE JURISDICTION OF A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD IN THIS
15 STATE SHALL BE CLASSIFIED AS AN IN-STATE STUDENT AND AS A RESIDENT OF THE
16 COUNTY IN WHICH THE COMMUNITY COLLEGE DISTRICT IS LOCATED.

17 C. THE ARIZONA BOARD OF REGENTS AND COMMUNITY COLLEGE DISTRICT
18 GOVERNING BOARDS SHALL ADOPT RULES AND POLICIES TO CARRY OUT THE PURPOSES OF
19 THIS SECTION.

20 D. A PERSON WHO IS CLASSIFIED PURSUANT TO THIS SECTION AS AN IN-STATE
21 STUDENT OR AS A RESIDENT OF THE COUNTY IN WHICH THE COMMUNITY COLLEGE
22 DISTRICT IS LOCATED IS ENTITLED TO THE SAME RIGHTS AND BENEFITS AS ANY OTHER
23 IN-STATE STUDENT OR ANY OTHER RESIDENT OF THE COUNTY IN WHICH THE COMMUNITY
24 COLLEGE DISTRICT IS LOCATED, INCLUDING ELIGIBILITY FOR FINANCIAL AID AND
25 SCHOLARSHIPS.

26 E. ANY INFORMATION SUBMITTED BY A PERSON TO A UNIVERSITY OR COMMUNITY
27 COLLEGE PURSUANT TO THIS SECTION IS CONFIDENTIAL.

28 Sec. 4. Election

29 A. The secretary of state shall place this act on the ballot of the
30 2016 state general election.

31 B. As provided by section 19-124, Arizona Revised Statutes, the
32 legislative council shall prepare an analysis of the proposition, and the
33 secretary of state shall include this analysis with any submitted arguments
34 that advocate or oppose the proposition in the general election publicity
35 pamphlet.

36 C. In addition to any other ballot requirements prescribed by law, the
37 secretary of state shall print on the official general election ballot:

- 38 1. The official title and number of the measure to be voted on.

1 2. A descriptive title of not more than fifty words that contains a
2 summary of the issue prepared by the secretary of state and that is approved
3 by the attorney general.

4 3. The phrases "A "yes" vote has the effect of approving House Bill
5 2091, fifty-second legislature, first regular session." and "A "no" vote has
6 the effect of rejecting House Bill 2091, fifty-second legislature, first
7 regular session."

8 Sec. 5. Conforming legislation; blending

9 A. The legislative council staff shall prepare proposed legislation
10 conforming the Arizona Revised Statutes to the provisions of this act for
11 consideration in the fifty-third legislature, first regular session.

12 B. The executive director of the legislative council may blend the
13 nonconflicting changes made to the Arizona Revised Statutes during the
14 fifty-third legislature, second regular session, with the changes made to
15 those same statutes by this act.

16 Sec. 6. Conditional enactment

17 This act does not become effective unless the qualified electors of
18 this state approve this measure in the general election that will be held in
19 November 2016."

20 Amend title to conform

2091mq.doc
03/24/2015
8:57 AM
C: tdb