

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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SENATE BILL 859

Short Title: In-State Tuition Flexibility Act. (Public)

Sponsors: Senators Lowe and Mohammed (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 27, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE CERTAIN BENEFICIARIES OF THE FEDERAL DEFERRED
3 ACTION FOR CHILDHOOD ARRIVALS INITIATIVE TO RECEIVE IN-STATE
4 TUITION AT THE UNIVERSITY OF NORTH CAROLINA CONSTITUENT
5 INSTITUTIONS AND COMMUNITY COLLEGES IN THIS STATE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 116-143.1 is amended by adding the following new subsections
8 to read:

9 "(n) Notwithstanding any other provision of this section, a person who meets all of the
10 following qualifications shall be eligible to be charged the in-State tuition rate:

11 (1) The person graduated and received a high school diploma from a school
12 within North Carolina or received a high school equivalency diploma within
13 North Carolina.

14 (2) The person attended North Carolina schools for a minimum of two
15 consecutive years immediately prior to completing high school.

16 (3) The person is a beneficiary of the federal Deferred Action for Childhood
17 Arrivals (DACA) initiative and provides documentation to the constituent
18 institution or community college to which the person is enrolled
19 demonstrating that the person is a DACA beneficiary.

20 (4) The person enrolled in a constituent institution or community college.
21 (o) Any information obtained as part of the process of applying for in-State tuition
22 pursuant to subsection (n) of this section shall be confidential and is not a public record."

23 **SECTION 2.** This act becomes effective July 1, 2022, and applies beginning with
24 the 2022-2023 academic year.



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