**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑440 SO TO PROVIDE A STUDENT MUST BE EXEMPT FROM PAYING OUT‑OF‑STATE TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IN SOUTH CAROLINA AND MUST BE ELIGIBLE FOR CERTAIN STATE‑SPONSORED SCHOLARSHIPS AND TUITION ASSISTANCE IF HE ATTENDED A HIGH SCHOOL IN THIS STATE FOR THREE OR MORE YEARS, GRADUATED FROM A HIGH SCHOOL IN THE STATE OR RECEIVED THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE, REGISTERS AS AN ENTERING STUDENT OR IS CURRENTLY ENROLLED IN A PUBLIC INSTITUTION OF HIGHER EDUCATION NOT EARLIER THAN THE FALL SEMESTER OF THE 2017‑2018 ACADEMIC YEAR, AND, IF LACKING LAWFUL IMMIGRATION STATUS, FILES AN AFFIDAVIT WITH THE INSTITUTION STATING HE HAS FILED AN APPLICATION TO LEGALIZE HIS IMMIGRATION OR WILL FILE AN APPLICATION WHEN ELIGIBLE; TO PROVIDE A STUDENT WHO IS ELIGIBLE FOR A STATE‑SPONSORED SCHOLARSHIP OR TUITION ASSISTANCE UNDER THIS ACT ALSO MUST MEET OTHER QUALIFICATIONS OF THE STATE‑SPONSORED SCHOLARSHIP OR TUITION ASSISTANCE TO RECEIVE THE SCHOLARSHIP OR TUITION ASSISTANCE; TO PROVIDE STUDENT INFORMATION OBTAINED IN THE IMPLEMENTATION OF THIS SECTION MUST BE CONFIDENTIAL; AND TO REQUIRE THE COMMISSION ON HIGHER EDUCATION TO ADOPT RULES AND REGULATIONS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS ACT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑440. (A) A student, other than a nonimmigrant alien within the meaning of Section 101(a)(15) of the Immigration and Nationality Act, 8 U.S.C. Section 1101(a)(15), is exempt from paying out‑of‑state tuition at a public institution of higher education in this State and is eligible for state‑sponsored scholarships and tuition assistance provided in Chapter 111, Title 59 and elsewhere, including, but not limited to, the Palmetto Fellows Scholarship, Hope Scholarship, Life Scholarship, the Tuition Grants Program, the Governor’s Committee on the Employment of the Physically Handicapped essay contest, and free tuition for the children of certain veterans; if the student:

(1) attended high school in this State for three or more years;

(2) graduated from a high school in this State or received the equivalent of a high school diploma in this State;

(3) registers as an entering student or is currently enrolled in a public institution of higher education not earlier than the fall semester of the 2017‑2018 Academic Year; and

(4) in the case of a person without lawful immigration status, files an affidavit with the institution of higher education stating that the student has filed an application to legalize his immigration status or will file an application as soon as he is eligible to do so.

(B) A student who is eligible for a state‑sponsored scholarship or tuition assistance pursuant to subsection (A) also must satisfy the requirements of the scholarship or tuition assistance.

(C) Student information obtained in the implementation of this section must be confidential.

(D) The Commission on Higher Education shall adopt rules and regulations necessary to effectuate the provisions of this section.

(E) The provisions of this section apply not withstanding another provision of law.”

SECTION 2. This act takes effect upon approval by the Governor.

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