

By: Representatives Lott, Cummings, Moore,
Moss, Staples

To: Universities and
Colleges

HOUSE BILL NO. 1073

1 AN ACT TO REQUIRE A PERSON APPLYING FOR ENROLLMENT AT A STATE
2 INSTITUTION OF HIGHER LEARNING TO SUBMIT WITH THE APPLICATION A
3 CERTIFIED COPY OF THE APPLICANT'S BIRTH CERTIFICATE, TO REQUIRE AN
4 APPLICANT BORN OUTSIDE THE UNITED STATES TO PRESENT CERTAIN
5 EVIDENCE TO THE STATE INSTITUTION OF THE APPLICANT'S CITIZENSHIP
6 OR LEGAL IMMIGRATION STATUS, AND TO PROHIBIT THE ENROLLMENT OF
7 PERSONS FAILING TO PROVIDE SUCH EVIDENCE; TO AMEND SECTION
8 37-103-23, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT ALL ALIENS
9 WHO ARE LEGAL IMMIGRANTS ARE CLASSIFIED AS NONRESIDENTS OF THE
10 STATE, NOTWITHSTANDING THEIR PLACE OF DOMICILE IN THE UNITED
11 STATES, FOR TUITION PURPOSES; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** (1) Every person applying for enrollment at a
14 state institution of higher learning in this state must submit a
15 certified copy of the applicant's birth certificate along with the
16 person's enrollment application. If the birth certificate
17 indicates that the applicant was born outside the United States,
18 the applicant must present evidence of the applicant's citizenship
19 or legal immigration status. For purposes of this section,
20 acceptable proof of an applicant's legal immigration status
21 include any one (1) of the following: a permanent resident card,
22 commonly known as a "Green Card" (USCIS Form I-551); an immigrant
23 visa; a social security card; or an arrival/departure record
24 (USCIS Form I-94).

25 (2) Any applicant for enrollment at a state institution of
26 higher learning born outside the United States who does not
27 present evidence of the applicant's citizenship or legal
28 immigration status in a form prescribed in subsection (1) of this
29 section may not be enrolled in the state institution of higher
30 learning.

31 **SECTION 2.** Section 37-103-23, Mississippi Code of 1972, is
32 amended as follows:

33 37-103-23. Notwithstanding their place of domicile in the
34 United States, all legal aliens are classified as nonresidents.

35 **SECTION 3.** This act shall take effect and be in force from
36 and after July 1, 2006.