

February 11, 2013

The Honorable Kasha Kelley, Chairperson
House Committee on Education
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Kelley:

SUBJECT: Fiscal Note for HB 2192 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2192 is respectfully submitted to your committee.

HB 2192 states that an alien who is not lawfully present in the United States is not a domiciliary resident of the state, and in no event would the individual be entitled to pay resident fees upon enrollment at any state educational institution.

The bill would also repeal KSA 2012 Supp. 76-731a which allows certain individuals to pay resident tuition and fee rates at postsecondary educational institutions. In this current statute, "individual" means a person who (A) has attended an accredited Kansas high school for three or more years, (B) has either graduated from an accredited Kansas high school or has earned a general educational development (GED) certificate issued within Kansas, regardless of whether the person is or is not a citizen of the United States of America; and (C) in the case of a person without lawful immigration status, has filed with the postsecondary educational institution an affidavit stating that the person or the person's parents have filed an application to legalize such person's immigration status, or such person will file such an application as soon as such person is eligible to do so or, in the case of a person with a legal, nonpermanent immigration status, has filed with the postsecondary educational institution an affidavit stating that such person has filed an application to begin the process for citizenship of the United States or will file such application as soon as such person is eligible to do so.

The Board of Regents notes that HB 2192 would have a fiscal effect on state universities, Washburn University, community colleges and technical colleges. The following table shows the official fall 2012 enrollment of students eligible to pay resident tuition but who do not have lawful immigration status and their associated revenues.

	University	Community Colleges	Technical Colleges	Total for All Students
Fall 2012 Enrollment	117	498	15	
Cost per Student	\$10,007	\$9,955	\$9,955	
Total Cost	\$1,170,819	\$4,957,590	\$149,325	\$6,277,734
Resident Tuition	\$6,390	\$2,518	\$3,332	
Total Revenue	\$747,630	\$1,253,964	\$49,980	\$2,051,574
Same Enrollment based on HB 2192				
Non-Resident Tuition	\$16,685	\$3,780	\$3,431	
Total Revenue	\$1,952,145	\$1,882,440	\$51,465	\$3,886,050
				Difference in Tuition
				\$1,834,476

Under HB 2192, if these current students were enrolled as non-residents the revenue per student would increase by \$10,295 at universities, \$1,262 at community colleges, and \$99 at technical colleges, or a total of \$1,834,476. If none of the students enrolled, there would be a loss of \$3,886,050. However, it cannot be determined how many students would choose to continue their enrollment while paying the higher tuition or who would choose to not enroll in the future. Any fiscal effect associated with HB 2192 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Kelly Oliver, Board of Regents