

SENATE BILL 612

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 58; Title 49, Chapter 7; Title 49, Chapter  
8 and Title 49, Chapter 9, relative to tuition.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by  
adding the following language as a new section:

(a) An individual shall be exempt from paying out-of-state tuition at a state  
institution of higher education, if the individual:

(1) Attended school in this state for the three (3) years immediately prior  
to graduation from high school;

(2)

(A) Graduated from a Tennessee high school;

(B) Obtained a GED® or HiSET® credential awarded by a state-  
approved institution or organization; or

(C) Completed high school in a Tennessee home school  
program;

(3) Is registered as an entering student or is enrolled at a state institution  
of higher education;

(4) Has been a Tennessee resident for at least one (1) year immediately  
preceding the date of enrollment in a state institution of higher education; and

(5) If necessary, files an affidavit with the state institution of higher  
education stating that the individual has filed an application to legalize the  
individual's immigration status, or shall file an application as soon as the

individual is eligible to do so. This subdivision (a)(5) applies only to an individual who is without lawful immigration status.

(b) The out-of-state tuition exemption in subsection (a) shall not apply to international students and trainees who are nonimmigrants within the meaning of 8 U.S.C. § 1101 (a)(15)(F), (a)(15)(H)(iii), (a)(15)(J), or (a)(15)(M).

(c) Information obtained in the implementation of this section is confidential. A state institution of higher education that receives an affidavit described in subdivision (a)(5) shall treat the affidavit as an education record of the individual under the provisions of the federal Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232g).

SECTION 2. Tennessee Code Annotated, Section 4-58-102(7), is amended by adding the following language as a new subdivision:

Does not include the exemption from paying the out-of-state tuition authorized by Section 1 of this act.

SECTION 3. The board of regents and the University of Tennessee board of trustees are authorized to promulgate rules to effectuate the purposes of this act. All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For the purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2015, the public welfare requiring it, and shall apply to the 2015–2016 academic year and academic years thereafter.