INTRODUCTION TO TEXAS HOUSE BILL 1403 AND SENATE BILL 1528

Texas House Bill 1403 and Senate Bill 1528
Effective 2001, Texas HB1403 enables immigrant students, including those without documentation, to qualify as Texas residents and pay in-state tuition at public colleges and universities in the state. In 2005, the Texas Legislature approved a new law, SB1528, which expands benefits of HB1403.

To qualify under these laws, a student must meet the following four provisions:

1) Graduate from a public or private high school, or receive a GED, in Texas;
2) Reside in Texas for at least the 3 years leading up to high school graduation or receiving GED;
3) Reside in Texas for the 12 months leading up to the semester the student is enrolling in college; and
4) Provide the institution of higher education an affidavit stating the student will file an application to become a U.S. permanent resident as soon as he/she is eligible to do so.

- Immigrant students who do not meet the requirements above but who have filed an I-30 (family petition) or I-40 (work petition) with the United States Citizenship and Immigration Services (USCIS), and have received a Notice of Action as a response from the USCIS, are also eligible to receive in-state tuition if they have been here for at least 12 months.

- People holding work visas (H-1B) and their dependents (H-4) can now also receive in-state tuition at state universities. The same is true for applicants of the Nicaraguan Adjustment and Central American Relief Act (NACARA) and Temporary Protected Status (TPS) applicants, among others.

Ensure students consult with the college Admissions office to confirm that they meet the requirements.