

## CONCURRENCE IN SENATE AMENDMENTS

AB 695 (Fong)

As Amended August 29, 2025

2/3 vote. Urgency

**SUMMARY**

Provides an exemption until January 1, 2030, from nonresident tuition for community college students who were deported on or after January 1, 2025, and later reenroll in either an online or in-person community college program if the student was previously enrolled and was not paying nonresident tuition at the time of their departure. Additionally, this bill, an urgency measure, requires the student to provide an attestation with information on the conditions of their departure.

**Senate Amendments**

- 1) Add an urgency clause.
- 2) Add a sunset clause.
- 3) Require the student to provide an attestation to all of the following:
  - a) The student no longer resides in the United States;
  - b) The date the student departed the United States;
  - c) The reason the student departed the United States; and,
  - d) The name of the California community college at which the student was enrolled before the student departed the United States.
- 4) Stipulate that a deported student shall remain exempt from paying nonresident tuition until completion of any of the following:
  - a) An associate degree for transfer;
  - b) An associate of arts degree;
  - c) A certificate of completion;
  - d) A certificate of achievement;
  - e) A certificate of competency in a recognized career field by articulating with college-level coursework; and,
  - f) Courses required for transfer to a four-year degree program.
- 5) Stipulate that if and when a deported student resumes in-person education at a California community college, the student will be eligible for all of the following:

- a) Retaining residency status for the purpose of determining tuition and fees, provided the student was previously classified as a resident and met requirements as specified, at the time of departure;
  - b) Being exempt from nonresident tuition, provided the student previously qualified for an exemption from nonresident tuition and met the requirements under subdivision (a) at the time of departure; and,
  - c) Applying for financial aid upon reenrollment.
- 6) Make technical and clarifying changes.

## COMMENTS

This measure, in part, establishes the California Community Colleges (CCC) Access and Continuity for Deported Students Act, creating a process to enable deported CCC students to continue their education online after leaving the United States.

*Background.* According to the Institute on Taxation and Economic Policy (ITEP), July 30, 2024, report, entitled, *Tax Payments by Undocumented Immigrants*, immigration has always been an important part of the story of the United States. ITEP cites that debates over immigration policy raise a huge array of issues that are fundamental to life in the U.S. To shed light on just one of those issues, the report undertakes an examination to date of the federal, state, and local tax payments made by undocumented immigrants. ITEP's report arrives at nationwide estimates of the overall tax contributions of the estimated 10.9 million undocumented immigrants living in the U.S. as of 2022, as well as state-by-state estimates for those immigrants' payments of state and local taxes. The report also forecasts the growth in tax contributions that would occur under a scenario in which these taxpayers were granted work authorization.

The report found that six states raised more than \$1 billion each in tax revenue from undocumented immigrants living within their borders. Those states are California (\$8.5 billion), Texas (\$4.9 billion), New York (\$3.1 billion), Florida (\$1.8 billion), Illinois (\$1.5 billion), and New Jersey (\$1.3 billion).

This measure seeks to provide a mechanism whereby CCC students who have been deported will have access and continuity of their education.

*Eligibility?* This measure extends the exemption from paying nonresident tuition upon reenrolling to a CCC student who departed the country on or after January 1, 2025, due to immigration enforcement activity. To qualify for the exemption, the student must have been paying resident tuition at the time of their departure from the country. This measure applies to students who reenroll within three years of their departure in online distance learning programs and to students who reenroll in-person (the three-year window does not apply to in-person reenrollment).

The exemption is valid until completion of their program. A student must self-attest to confirm their deportation status with the college. The measure appears to align with existing Legislative efforts that support students in continuing their education with minimal disruption after being impacted by immigration enforcement activity.

*Parallel reenrollment policies for deported students.* Current law already mandates that the CCC, the California State University (CSU), and the University of California (UC), assist students facing detention, deportation, or inability to fulfill academic requirements as a result of immigration actions. The CCC, CSU, and UC, must make reasonable efforts to help these students retain their benefits, including an exemption from paying nonresident tuition, and allow them to reenroll when they return. This measure focuses on preserving residency status for tuition purposes. The difference between this measure and the parallel reenrollment policies is the inclusion of distance education programs; thus allowing students to complete their program without having to be physically present in California.

*Nonresident v. resident tuition.* Persons deemed nonresidents of California for purposes of paying tuition at a CCC are charged significantly higher tuition rates than the amount charged for resident tuition. In 2024, at CCCs, California residents pay \$46 per unit, while nonresidents pay on average \$346 per unit. In-state tuition classification represents a significant postsecondary education benefit. The nonresident tuition exemption provided to CCC students by this measure is one eligible students were already receiving before leaving the country. The exemption allows the student to retain that benefit to enable them to finish their program—remotely or in-person.

### **According to the Author**

According to the author, "across the country, students are facing potential immigration enforcement actions that may force them to leave the United States involuntarily and abruptly. Deportation not only impacts these individuals, it impacts the economic and social progress of the state. By enabling students to continue their education through a CA Community College online program, students will be able to maintain academic progress and be able to contribute to the state's economy if they are able to return to the United States with legal status."

### **Arguments in Support**

According to the Los Angeles Community College District (LACCD), sponsors of this measure, "this act is of significant importance as it creates a process to enable deported California Community Colleges ("CCC") students to continue their education online after leaving the United States, demonstrating our commitment to their education and well-being."

The LACCD contends that, "in California, undocumented immigrants play a vital role in our economy, contributing substantially to key industries such as agriculture, construction, hospitality, and healthcare. Despite their lack of legal status, they contribute billions to state and local taxes each year. In 2022, a study by the Institute on Taxation and Economic Policy (ITEP) estimated that undocumented immigrants paid approximately \$8.5 billion in state and local taxes, including sales, property, and income taxes. Their labor not only supports economic growth and sustains essential industries but also helps fill workforce shortages, making them an integral and essential part of the state's economic engine."

Further, LACCD states that, "AB 695 is a testament to our unwavering commitment to the well-being of CCC students who are involuntarily removed from the United States. It establishes a supportive process that ensures they can continue their education, no matter where they are."

### **Arguments in Opposition**

None on file.

## FISCAL COMMENTS

According to the Senate Committee on Appropriations:

- 1) The Chancellor's Office estimates one-time Proposition 98 General Fund costs of between \$13,000 and \$22,000 per district, or \$936,000 to \$1.6 million statewide for all 72 community college districts, to update policies and practices regarding eligibility for nonresident tuition exemptions.
- 2) The districts would also need to adopt procedures for verifying student attestations, however they are already required to implement practices to ensure students retain eligibility for nonresident tuition exemptions in the event of detainment, deportation, or inability to attend. Therefore, these policy updates are likely to be minor and absorbable within existing workload.

## VOTES:

### ASM HIGHER EDUCATION: 7-3-0

**YES:** Fong, Boerner, Jackson, Muratsuchi, Patel, Celeste Rodriguez, Sharp-Collins

**NO:** DeMaio, Jeff Gonzalez, Tangipa

### ASM APPROPRIATIONS: 11-3-1

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

**NO:** Dixon, Ta, Tangipa

**ABS, ABST OR NV:** Sanchez

### ASSEMBLY FLOOR: 60-16-3

**YES:** Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

**NO:** Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

**ABS, ABST OR NV:** Alanis, Hoover, Wallis

## UPDATED

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