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**AB-703 Public postsecondary education: fee waivers for exonerated persons.** (2019-2020)

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**Assembly Bill No. 703**

**CHAPTER 436**

An act to add Part 41.5 (commencing with Section 69000) to Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

[ Approved by Governor October 02, 2019. Filed with Secretary of State October 02, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 703, Weber. Public postsecondary education: fee waivers for exonerated persons.

Existing law prohibits the Board of Governors of the California Community Colleges, the Trustees of the California State University, and, if they adopt an appropriate resolution, the Regents of the University of California, from collecting mandatory systemwide tuition and fees from certain persons. Existing law prohibits collecting mandatory systemwide tuition and fees from any surviving spouse or child of a deceased state resident who was principally employed in law enforcement service or active fire suppression and prevention and died as a result of those duties.

This bill would prohibit those institutions, and community college districts, from collecting mandatory systemwide tuition and fees from persons who are exonerated of crimes by writ of habeas corpus or pardon, as specified, and who meet certain requirements. By imposing new duties on community college districts with respect to determining eligibility for fee waivers, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Part 41.5 (commencing with Section 69000) is added to Division 5 of Title 3 of the Education Code, to read:

**PART 41.5. WAIVER OF FEES FOR EXONERATED PERSONS**

**69000.** (a) (1) No mandatory systemwide fees or tuition of any kind shall be required or collected by the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges, or any community college district from a student who has been exonerated, as that term is defined in Section 3007.05 of the Penal Code, if the student meets all of the following conditions:

(A) Completes and submits the Free Application for Federal Student Aid (FAFSA).

(B) Meets the financial need requirements established for Cal Grant A awards under Chapter 1.7 (commencing with Section 69430) of Part 42.

(2) A student shall not have the student's mandatory systemwide tuition or fees waived pursuant to this subdivision in excess of the equivalent of six years of full-time attendance in an undergraduate program.

(b) A person who is eligible for a waiver of tuition or fees under this section may receive a waiver for each academic year during which the person applies for that waiver, but an eligible person may not receive a waiver of tuition or fees for a prior academic year.

(c) The waiver of tuition or fees under this section shall apply only to a person who is determined to be a resident of this state pursuant to this chapter.

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.