

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

1

HOUSE BILL 218

Short Title: No Postsecondary Education/Illegal Aliens. (Public)

Sponsors: Representatives Cleveland and Whitmire (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education.

March 6, 2013

A BILL TO BE ENTITLED

AN ACT PROHIBITING ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA  
COMMUNITY COLLEGES AND UNIVERSITIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115D-1 reads as rewritten:

**"§ 115D-1. Statement of purpose.**

The purposes of this Chapter are to provide for the establishment, organization, and administration of a system of educational institutions throughout the State offering courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs, to serve as a legislative charter for such institutions, and to authorize the levying of local taxes and the issuing of local bonds for the support thereof. The major purpose of each and every institution operating under the provisions of this Chapter shall be and shall continue to be the offering of vocational and technical education and training, and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who ~~are~~ have lawful immigration status under federal law and are high school graduates or who are beyond the compulsory age limit of the public school system and who have left the public schools, provided, juveniles of any age committed to the Division of Juvenile Justice of the Department of Public Safety by a court of competent jurisdiction may, if approved by the director of the youth development center to which they are assigned, take courses offered by institutions of the system if they are otherwise qualified for admission.

The Community Colleges System Office is designated as the primary lead agency for delivering workforce development training, adult literacy training, and adult education programs in the State."

**SECTION 2.** Chapter 115D of the General Statutes is amended by adding a new section to read:

**"§ 115D-1.4. No admission for aliens who do not have lawful immigration status.**

(a) Admission Prohibited. – A person who does not have lawful immigration status under federal law shall not be admitted to or take any class at a community college.

(b) Exceptions. – This section does not apply to any of the following:

(1) A person who is concurrently enrolled in secondary school during the quarter, term, or semester during which the person will take a class or classes at a community college.

(2) A person who will not be in the United States during any portion of the class or classes taken at a community college."



1           **SECTION 3.** Chapter 116 of the General Statutes is amended by adding a new  
2 section to read:

3 **"§ 116-40.11. No admission for aliens who do not have lawful immigration status.**

4       (a) Admission Prohibited. – A person who does not have lawful immigration status  
5 under federal law shall not be admitted to or take any class at a constituent institution of The  
6 University of North Carolina.

7       (b) Exceptions. – This section does not apply to any of the following:

8           (1) A person who is concurrently enrolled in secondary school during the  
9 quarter, term, or semester during which the person will take a class or  
10 classes at a constituent institution.

11          (2) A person who will not be in the United States during any portion of the class  
12 or classes taken at a constituent institution."

13           **SECTION 4.** This act is effective when it becomes law and applies to admissions  
14 and classes taken after that date, except that this act shall not prevent a student enrolled in a  
15 program at a community college or constituent institution of The University of North Carolina  
16 as of that date or during the previous term or semester from completing that program.