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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 10

02/06/2025 Authored by Schultz, Niska, Davis, Duran, Perryman and others
The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy

1.1 A bill for an act
1.2 relating to state government; prohibiting state-funded services to undocumented
1.3 noncitizens; providing that undocumented noncitizens are ineligible for
1.4 MinnesotaCare and the North Star Promise scholarship program; amending
1.5 Minnesota Statutes 2024, sections 136A.1465, subdivision 1; 256L.04, subdivision
1.6 10; proposing coding for new law in Minnesota Statutes, chapter 16A.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. [16A.1393] STATE-FUNDED SERVICES TO UNDOCUMENTED
1.9 NONCITIZENS PROHIBITED.

1.10 Notwithstanding any law to the contrary, noncitizens of the United States who are
1.11 undocumented or otherwise not lawfully present in the United States must not receive from
1.12 any person or entity any service, payment, grant, loan, subsidy, or other form of financial
1.13 aid or assistance funded by state tax revenue.

1.14 EFFECTIVE DATE. This section is effective the day following final enactment.

1.15 Sec. 2. Minnesota Statutes 2024, section 136A.1465, subdivision 1, is amended to read:

1.16 Subdivision 1. **Definitions.** The following terms have the meanings given:

1.17 (1) "eligible student" means a resident student under section 136A.101, subdivision 8,
1.18 clauses (1) to (8) or (10), who is enrolled in any public postsecondary educational institution
1.19 or Tribal college and who meets the eligibility requirements in subdivision 2;

1.20 (2) "gift aid" includes:

1.21 (i) all federal financial aid that is not a loan or pursuant to a work-study program;

2.1 (ii) state financial aid, unless designated for other expenses, that is not a loan or pursuant
2.2 to a work-study program;

2.3 (iii) institutional financial aid, including a grant, scholarship, tuition waiver, fellowship
2.4 stipend, or other payment, unless designated for other expenses, that is not a loan or pursuant
2.5 to a work-study program; and

2.6 (iv) all private financial aid that is not a loan or pursuant to a work-study program.

2.7 Financial aid from the state, public postsecondary educational institutions, and Tribal colleges
2.8 that is specifically designated for other expenses is not gift aid for purposes of the North
2.9 Star Promise scholarship.

2.10 (3) "other expenses" includes books, required supplies, child care, emergency assistance,
2.11 food, and housing;

2.12 (4) "public postsecondary educational institution" means an institution operated by this
2.13 state, or the Board of Regents of the University of Minnesota;

2.14 (5) "recognized cost of attendance" has the meaning given in United States Code, title
2.15 20, chapter 28, subchapter IV, part F, section 1087ll;

2.16 (6) "Tribal college" means a college defined in section 136A.1796, subdivision 1,
2.17 paragraph (c); and

2.18 (7) "tuition and fees" means the actual tuition and mandatory fees charged by an
2.19 institution.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.21 applies to scholarship awards beginning in the fall term of the 2025-2026 academic year.

2.22 Sec. 3. Minnesota Statutes 2024, section 256L.04, subdivision 10, is amended to read:

2.23 Subd. 10. **Citizenship requirements.** (a) Eligibility for MinnesotaCare is ~~available~~
2.24 limited to citizens or nationals of the United States; and lawfully present noncitizens as
2.25 defined in Code of Federal Regulations, title 45, section 155.20; and Undocumented
2.26 noncitizens are ineligible for MinnesotaCare. For purposes of this subdivision, an
2.27 undocumented noncitizen is an individual who resides in the United States without the
2.28 approval or acquiescence of the United States Citizenship and Immigration Services. Families
2.29 with children who are citizens or nationals of the United States must cooperate in obtaining
2.30 satisfactory documentary evidence of citizenship or nationality according to the requirements
2.31 of the federal Deficit Reduction Act of 2005, Public Law 109-171.

3.1 (b) Notwithstanding subdivisions 1 and 7, eligible persons include families and
3.2 individuals who are lawfully present and ineligible for medical assistance by reason of
3.3 immigration status and who have incomes equal to or less than 200 percent of federal poverty
3.4 guidelines, ~~except that these persons may be eligible for emergency medical assistance~~
3.5 ~~under section 256B.06, subdivision 4.~~

3.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.