

FISCAL NOTE

June 9, 2017

Bill No:	HB 14	Printer's No:	32	Sponsor:	Knowles (R)
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
General Fund	\$ 0	\$156,000

SUMMARY: The bill would prohibit institutions of higher education from receiving state funding if the school adopts a disqualifying immigration policy.

ANALYSIS: The bill would amend the Pennsylvania Consolidated Statutes to add a new chapter relating to sanctuary campuses.

This bill would define an "institution of higher education" as a community college, an independent institution that is located in and incorporated or chartered by the commonwealth, a state-owned institution or a state-related institution.

The bill would permit institutions of higher education, including their governing bodies, officers employees and law enforcement officials or agencies to assist in the enforcement of immigration laws, mandates, requests and order of the Federal government that does not conflict with the rights guaranteed by the United States or Pennsylvania Constitutions.

The bill would prohibit the governing body of an institution of higher education from adopting a policy that:

- Prohibits the enforcement of federal or commonwealth immigration law;
- Refuses federal authorities access to the campus;
- Directs employees of the institution not to communicate, coordinate, or cooperate with federal authorities regarding an individual's immigration status; or
- Takes adverse action against an employee that communicates, coordinates, or cooperates with federal authorities regarding an immigration issue.

Schools that adopt these policies are colloquially known as sanctuary campuses.

Annually, each institution of higher education permitted to grant degrees within the state would have to certify with the Department of Education (PDE) whether it has the above immigration policy. PDE would prescribe the form and manner of the certification. PDE would also maintain records of all reports of alleged violations and the actions taken to resolve the alleged violations. If an institution of higher education is in violation of the requirements of the bill, PDE would report those violations to the Secretary of the Budget for the purpose of suspending payments of state-appropriated funds.

FISCAL NOTE

June 9, 2017

Further, the bill would prohibit an institution of higher education from receiving funding through a state appropriation if it adopts the above immigration policy or fails to submit certification information. An institution of higher education may have state funding restored if it complies with and provides PDE with proof of compliance of the provisions of the bill.

The act would take effect in 60 days.

FISCAL IMPACT: To meet the requirements of the bill, PDE estimates it would need to hire a Higher Education Administrator II, which would cost the commonwealth \$152,000 annually for salary and benefits. Additionally, PDE would incur a cost of \$4,000 to expand the existing reporting system to include the sanctuary campus certifications.

Currently, there are two campuses in Pennsylvania that have adopted sanctuary campus policies. They are Swarthmore College in Delaware County and the University of Pennsylvania in Philadelphia. As a private college, Swarthmore does not receive appropriations from the commonwealth, but received \$26,488 in Institutional Assistance Grants in 2015-16. Under this proposal, it could be ineligible for such funding. The University of Pennsylvania receives annual appropriations from the commonwealth and would be ineligible for funding if the bill is enacted.