

## FISCAL NOTE

May 15, 2017

<b>Bill No:</b>	SB 273	<b>Printer's No:</b>	259	<b>Sponsor:</b>	Rafferty (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 establish the Institutions of Higher Education Policy Act, which would prohibit an institution of higher education from directly or indirectly receiving commonwealth funding if the institution adopts a disqualifying immigration policy.

The bill defines a disqualifying immigration policy as one that:

- Prohibits the enforcement of federal or commonwealth immigration law;
- Refuses federal authorities access to the campus in order to investigate or enforce federal immigration law;
- Directs employees of the institution not to communicate, coordinate, or cooperate with federal authorities regarding an immigrant or immigration; or
- Takes adverse action against an employee that communicates, coordinates, or cooperates with federal authorities regarding an immigrant or immigration.

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 a disqualifying immigration policy. PDE would prescribe the form and manner of the certification.

If an institution fails to submit a certification of its immigration policy or the Department determines the policy is disqualifying, then the institution would not be able to directly or indirectly receive funds through a state appropriation.

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.

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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, they would 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.

The bill also prohibits indirect state funding, so these institutions would not be able to accept Pennsylvania State Grant Awards. In 2015-16, Swarthmore College students received \$160,907 in state grants and students from the University of Pennsylvania received \$1,599,977 in State Grants.