

New Jersey Governor Phil Murphy Signs Law Allowing Children of H-1B Visa Workers Qualify for In-State Tuition Fees

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On January 21, 2020, New Jersey Gov. Phil Murphy signed legislation allowing children of H-1B visa workers to qualify for in-state tuition, subject to certain conditions.

“New Jerseyans deserve equal access to higher education, and today we are taking another step toward making that possible,” said Gov. Murphy.

Students who are children of H-1B visa holders can now qualify for in-state tuition at the state’s public colleges and universities.

The H-1B visa is a non-immigrant visa that allows United States employers to employ temporary foreign workers in the field of a specialty occupation. To qualify for the in-state tuition, students must have attended a New Jersey high school for at least three years and have graduated. Further, they must prove that they have applied or intend to apply for legal residency status in the U.S.

This comes as great news to all H-1B visa holders whose children are aspiring to go to college. If a student’s parent has an H-1B visa, that makes the student eligible for in-state tuition fees. Though education from kindergarten through grade 12 is free in American public schools, non-citizens do not have access to in-state fees in public institutions at the college level. This puts a heavy burden on the families and deters many high school graduates from pursuing higher education.

H-1B visa holders, specifically those from India and China, have a long wait for a green card. It is typical for H-1B visa holders from these two countries to wait 10-15 years to get their green cards. Of course, they pay taxes while waiting for their green cards, and will continue to do so once they receive them.

This new law is beneficial mainly to workers from India who hold the maximum number of H-1Bs in the state.

Democratic Senators Vin Gopal and M Teresa Ruiz, and Assembly Members Raj Mukherji, Daniel Benson, and Robert Kharabinchak, were the primary sponsors of the legislation.

“Someone who comes to New Jersey on an H-1B visa could be here for many years with their families, raising their children in the state. But when we deny their children the opportunity to access an affordable college education right here at home, we’re shutting the door on a whole new generation of brilliance and talent. When we make higher education more affordable for these kids, we’re supporting their academic pursuits while encouraging them to cultivate and apply their skills right here in the Garden State,” said Senator Gopal.

Gov. Murphy signed a total of 153 into law. Others worthy of special mention are a bill expanding tax incentives for production companies filming in New Jersey, legislation prohibiting “gay panic” or “transgender panic” as legal defenses, and a measure banning vaping products.

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