

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 656

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE AD-
2 DITION OF A NEW SECTION 33-144, IDAHO CODE, TO ESTABLISH PROVISIONS RE-
3 GARDING THE COLLECTION OF AGGREGATED STUDENT DATA REGARDING IMMIGRA-
4 TION STATUS AND NATIONALITY FOR STUDENTS ENROLLED IN IDAHO PUBLIC EDU-
5 CATIONAL INSTITUTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EF-
6 FECTIVE DATE.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 33-144, Idaho Code, and to read as follows:

12 33-144. STUDENT IMMIGRATION STATUS AND NATIONALITY IN IDAHO PUBLIC
13 EDUCATIONAL INSTITUTIONS -- DATA COLLECTION. (1) It is the intent of the leg-
14 islature to collect aggregated immigration data for Idaho students to enable
15 the legislature to estimate more accurately the cost of educating Idaho stu-
16 dents and to illustrate the financial impact that federal immigration policy
17 has on the state of Idaho.

18 (2) As used in this section:

19 (a) "Aggregated data" has the same meaning as that term is defined in
20 section 33-133, Idaho Code.

21 (b) "Immigration status" means an individual's legal status in the
22 United States as governed by the United States immigration and nation-
23 ality act, including:

24 (i) An individual who is a lawful permanent resident who is "law-
25 fully admitted for permanent residence" as that term is defined in
26 8 U.S.C. 1101(20);

27 (ii) An individual who is a "national of the United States" as that
28 term is defined in 8 U.S.C. 1101(22);

29 (iii) An individual who is a "qualified alien" as that term is de-
30 fined in 8 U.S.C. 1641; and

31 (iv) An individual who is a non-qualified alien. For purposes
32 of this section, "non-qualified alien" means an individual who is
33 unauthorized and not lawfully admitted into the United States.

34 (c) "Public institution of higher education" means any state univer-
35 sity, college, or community college in the state of Idaho.

36 (d) "School district" has the same meaning as that term is defined in
37 section 33-133, Idaho Code.

38 (3) The Idaho state board of education shall collect from all public
39 institutions of higher education, charter schools, and school districts
40 aggregated data regarding the immigration status, nationality, and primary
41 language of all enrolled students. Such data shall be subject to the data

1 protection and privacy requirements provided for in section 33-133, Idaho
2 Code.

3 (4) The collection of aggregated student data regarding immigration
4 status, nationality, and primary language provided for under the provisions
5 of this section shall be for the purpose of analyzing data only. Such student
6 data shall not be used to discriminate against any student in any manner.
7 All student data collected pursuant to the provisions of this section and
8 reported to the state board of education shall be aggregated data.

9 (5) The state board of education shall submit an annual report to the
10 legislature including the aggregated data collected pursuant to the provi-
11 sions of this section.

12 SECTION 2. An emergency existing therefor, which emergency is hereby
13 declared to exist, this act shall be in full force and effect on and after
14 July 1, 2026.