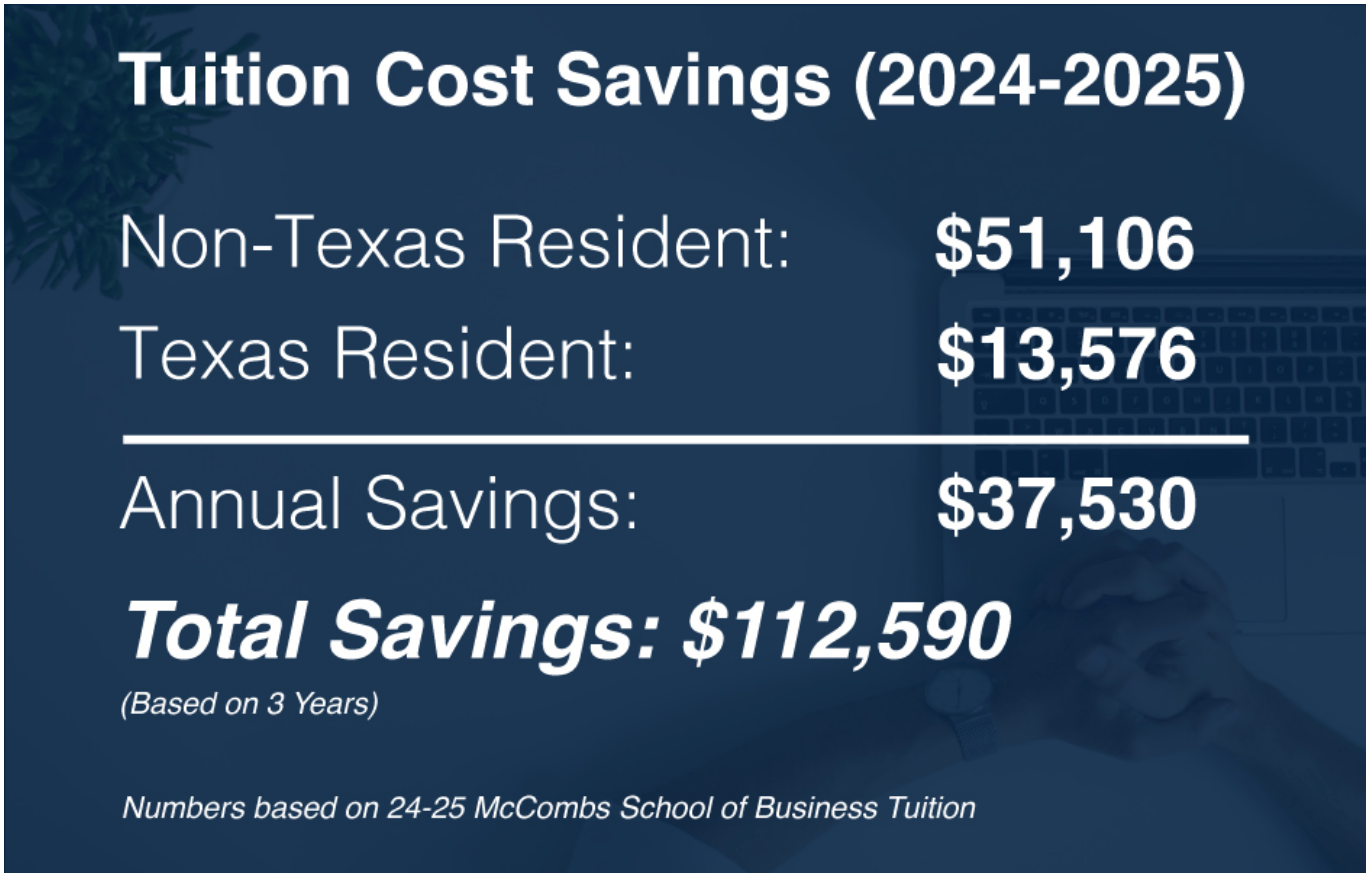
For nearly a quarter-century, Texas allowed undocumented students brought to the U.S. as children to pay the same in-state college tuition rates as other residents. That changed almost overnight.

In a swift political reversal, Texas officials dismantled the 24-year-old policy after President Donald Trump's Justice Department challenged its legality. The decision, coordinated with the White House, marks the first major victory in a broader campaign to eliminate tuition breaks for undocumented students across the country.

"This policy was unconstitutional," Texas Attorney General Ken Paxton said after entering a joint motion with the Justice Department to overturn the law. Gov. Greg Abbott confirmed the change in a post on X, declaring, "In-state tuition for illegal immigrants in Texas has ended."



The move is part of a sweeping legal offensive by Trump's administration, which has filed or supported similar challenges in Kentucky, Minnesota, and other states. The Justice Department argues these laws unfairly favor undocumented immigrants over U.S. citizens from neighboring states, violating federal law.

"Under federal law, schools cannot provide benefits to illegal aliens that they do not provide to U.S. citizens," Attorney General Pam Bondi said in a statement. "The Justice Department will relentlessly fight to ensure U.S. citizens are not treated like second-class citizens."

A Longstanding Bipartisan Tradition Reversed

Texas was the first state to adopt in-state tuition for undocumented students in 2001 under then-Gov. Rick Perry, a Republican. The policy inspired 23 other states and Washington, D.C., to pass similar laws, which for years enjoyed broad bipartisan support. But political winds have shifted sharply.

> The U.S. Justice Department filed a complaint against Texas in June seeking to prevent the continued implementation of a 2001 policy that has allowed tens of thousands of undocumented students to pay the same for college as Texans with legal status.https://t.co/tAkzWWG0eL
>
> — Truthout (@truthout) July 24, 2025

Florida repealed its own law earlier this year, and Republican lawmakers in Minnesota are pushing legislation to bar undocumented students from free college programs for low-income residents. Advocates fear more states will follow.

The rollback comes despite the fact that undocumented students make up less than 2 percent of college enrollment nationwide, or roughly 408,000 students. Of those, about 119,000 are protected under the Obama-era Deferred Action for Childhood Arrivals (DACA) program, which specifically encouraged states to adopt in-state tuition laws.

Economic and Human Costs

Texas colleges now stand to lose an estimated $461 million annually in tuition and fees as

some students drop out or choose not to enroll. The loss is particularly troubling for institutions already grappling with a 15 percent decline in college enrollment nationwide between 2010 and 2021, according to federal data.

“This isn’t just a political issue — it’s a financial one,” said Manuel Gonzalez, vice chair of the Austin Community College Board of Trustees, which has joined a lawsuit challenging the new policy. “Students are anxious not just about paying for college, but about living in a climate that vilifies their very existence.”

In Florida, where the repeal took effect in July, education advocates project state colleges could lose nearly $15 million a year.

Opponents of the policy dismiss those concerns. “It’s immoral to give in-state tuition to someone who shouldn’t even be in America,” said Florida Republican Rep. Randy Fine, who sponsored his state’s repeal. “A Georgian who wants to go to Florida State pays more than a foreigner. That’s just wrong.”

A Symbolic Fight With Real Consequences

The legal battles are part of Trump’s larger immigration crackdown, which he promised during his 2024 campaign would discourage illegal immigration and promote “self-deportation.” In April, he signed an executive order directing federal agencies to challenge any policies that benefit undocumented immigrants, including tuition discounts.

Critics say the measures are more about political symbolism than practical immigration deterrence.

“Nobody from Guatemala or Mexico moves to the U.S. thinking about college tuition rates decades down the line,” said Gaby Pacheco, president of The Dream.US, which advocates for

DACA students.

Still, the lawsuits have already created confusion for DACA students in Texas, with some colleges now charging them out-of-state tuition despite federal protections.

A National Battle Brewing

The outcome in Texas could ripple across the country, much as the state's original 2001 law inspired other states to adopt tuition benefits. Immigration advocates warn that Trump's repeal strategy could become a "blueprint" for dismantling similar programs nationwide.

"This wrongful and undemocratic repeal is being pushed as a model to end in-state tuition and persecute students in other states," said Juan Jose Martinez-Guevara of United We Dream.

Whether more states follow Texas may depend on the courts — and public opinion. Some political analysts warn the aggressive stance could hurt Republicans with Hispanic voters, especially in Texas. But Trump, no longer facing reelection, may see little political downside.

"It's symbolic, yes, but it's real," said Brendan Steinhauser, an Austin-based Republican strategist. "And it's having an impact."