

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 23-38.55 and 23-38.56 of the Code of Virginia, relating to the Senior*  
 3 *Citizens Higher Education Act.*

[H 218]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 23-38.55 and 23-38.56 of the Code of Virginia are amended and reenacted as follows:**

8 § 23-38.55. Definitions.

9 For the purposes of this chapter, the following words shall have the meanings ascribed to them by  
 10 this section:

11 (a) "Senior citizen" ~~shall mean~~ *means* any person who, before the beginning of any term, semester or  
 12 quarter in which such person claims entitlement to the benefits of this chapter, (i) has reached sixty  
 13 years of age ~~and~~, (ii) has had his legal domicile in this Commonwealth for one year, *and (iii) has a*  
 14 *taxable individual income not exceeding \$15,000 for Virginia income tax purposes for the year*  
 15 *preceding the year in which enrollment is sought.*

16 (b) "Course" ~~shall mean~~ *means* any course of study offered in any state institution of higher  
 17 education including the regular curriculum of any department, or school, or subdivision of any such  
 18 institution or any special course given for any purpose, including, but not limited to, adult education.

19 (c) ~~[Repealed.]~~

20 Nothing in this section shall be construed to exclude any other rules and requirements now or  
 21 hereafter made applicable for all other persons with respect to residency in this Commonwealth by a  
 22 state institution of higher learning.

23 § 23-38.56. Attendance at state institutions; conditions.

24 A senior citizen shall be permitted, under regulations as may be prescribed by the State Council of  
 25 Higher Education:

26 (i) To register for and enroll in courses as a full-time or part-time student for academic credit if such  
 27 senior citizen had a taxable individual income not exceeding ~~\$10,000~~ *15,000* for Virginia income tax  
 28 purposes for the year preceding the year in which enrollment is sought;

29 (ii) To register for and audit courses offered for academic credit; and

30 (iii) To register for and enroll in courses not offered for academic credit in any state institution of  
 31 higher education in this Commonwealth.

32 Such senior citizen shall pay no tuition or fees except fees established for the purpose of paying for  
 33 course materials, such as laboratory fees, but shall be subject to the admission requirements of the  
 34 institution and a determination by the institution of its ability to offer the course or courses for which  
 35 the senior citizen registers. The State Council of Higher Education shall establish procedures to ensure  
 36 that tuition-paying students are accommodated in courses before senior citizens participating in this  
 37 program are enrolled. However, the state institutions of higher education may make individual  
 38 exceptions to these procedures when the senior citizen has completed seventy-five percent of the  
 39 requirements for a degree.

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