

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number SB 677

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Senator Hanger

3. Committee Education and Health

4. Title In-state tuition rates; prohibited for certain individuals.

5. Summary/Purpose:

This bill prohibits the board of visitors or other governing body of a public institution of higher education in Virginia from authorizing in-state tuition rates for individuals who are not citizens or nationals of the United States, are unlawfully present in the United States, or do not possess a valid visa.

6. Fiscal Impact Estimates are: Preliminary (see Section 8)

7. Budget amendment necessary: No.

8. Fiscal implications: There is no fiscal impact to the state budget because enforcement lies primarily at the institutional level. Public institutions currently have a process in place to determine an applicant's domicile when the applicant seeks the in-state tuition rate. During this procedure, a person's legal status is also examined. In order to proactively comply with this legislation, the evaluation of a person's legal standing would have to be extended to all applications for enrollment, not just those who apply for in-state tuition.

Although the review is not as comprehensive as a domicile determination, the task is particularly complicated for those whose legal standing is questionable due to the multiple layers of regulation, guidance, and procedures at the federal level. The impact of possible increased staffing and expertise at the institution level to proactively comply with this legislation would vary by institution. However, if public higher education institutions only prohibit enrollment when a student lacks legal status, then there should be no additional cost.

9. Specific agency or political subdivisions affected: Virginia's public higher education institutions

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/25/06 / sas

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