

2013 SESSION

SENATE SUBSTITUTE

13104827D

SENATE BILL NO. 1090

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health
on January 31, 2013)

(Patrons Prior to Substitute—Senators McEachin and Ebbin [SB 1233])

A *BILL to amend the Code of Virginia by adding a section numbered 23-7.4:01, relating to in-state tuition; undocumented persons.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23-7.4:01 as follows:

§ 23-7.4:01. In-state tuition; Deferred Action for Childhood Arrivals.

Notwithstanding any other provision of law, a student shall be eligible for in-state tuition if (i) he has attended a public or private high school in the Commonwealth for at least three years; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student or is enrolled in a public institution of higher education in the Commonwealth; (iv) he has provided an I-797 Approval Notice stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; and (v) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment. Such student shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and retains status under Deferred Action for Childhood Arrivals.

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