

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 434

An Act to amend and reenact § 23-38.12 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.1-32.1, relating to Selective Service compliance.

[H 2255]

Approved March 25, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 23-38.12 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.1-32.1 as follows:

§ 2.1-32.1. Selective Service compliance.

Any person who has failed to meet the federal requirement to register for the Selective Service shall be ineligible for employment by or service for the Commonwealth, or a political subdivision of the Commonwealth, including all boards and commissions, departments, agencies, institutions, and instrumentalities. A person shall not be denied employment under this section by reason of failure to present himself for and submit to the federal registration requirement if: (i) the requirement for the person to so register has terminated or become inapplicable to the person and (ii) the person shows by a preponderance of the evidence that the failure of the person to register was not a knowing and willful failure to register.

§ 23-38.12. Program of tuition assistance established.

There is hereby established, from funds provided by law, a program of tuition assistance in the form of grants, as hereinafter provided, to or on behalf of bona fide residents of Virginia who attend private, accredited and nonprofit institutions of collegiate education in the Commonwealth whose primary purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education. Individuals who have failed to meet the federal requirement to register for the Selective Service shall not be eligible to receive these grants. *However, a person who has failed to register for the Selective Service shall not be denied a right, privilege, or benefit under this section if: (i) the requirement to so register has terminated or become inapplicable to the person and (ii) the person shows by a preponderance of the evidence that the failure to register was not a knowing and willful failure to register.* The State Council of Higher Education shall be assisted in enforcing this provision by the private institutions of higher education whose students benefit from this program. Unless otherwise indicated, as used in this chapter "accredited" means any institution approved to confer degrees pursuant to Chapter 21 (§ 23-265 et seq.) of ~~Title 23~~ *this title*.