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HOUSE BILL NO. 1547**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education
on February 3, 2020)

(Patrons Prior to Substitute—Delegates Lopez and Keam [HB 1138])

A BILL to amend the Code of Virginia by adding a section numbered 23.1-506.1, relating to eligibility for in-state tuition; exception; certain Virginia high school students.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23.1-506.1 as follows:

§ 23.1-506.1. Eligibility for in-state tuition; exception; Virginia high school students.

Notwithstanding any other provision of law to the contrary, a student is eligible for in-state tuition charges regardless of domicile if he: (i) attended high school for at least two years in the Commonwealth and either (a) graduated on or after July 1, 2008 from a public or private high school or program of home instruction in the Commonwealth or (b) passed on or after July 1, 2008 a high school equivalency examination approved by the Secretary of Education and (ii) registers as an entering student or is enrolled in a public institution of higher education in the Commonwealth. Students who meet these criteria shall be eligible for in-state tuition regardless of their citizenship or immigration status, except that students with currently valid visas issued under 8 U.S.C. § 1101(a)(15)(F), 1101(a)(15)(H)(iii), 1101(a)(15)(J) (including only students or trainees), or 1101(a)(15)(M) are not eligible. Information obtained in the implementation of this section shall be used or disclosed to individuals other than the student only for purposes of determining in-state tuition eligibility.