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**HOUSE BILL NO. 2272****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Appropriations  
on February 1, 2023)

(Patron Prior to Substitute—Delegate Cherry)

*A BILL to amend the Code of Virginia by adding a section numbered 23.1-507.1, relating to tuition charges for certain non-Virginia students at certain public institutions of higher education; flexibility.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 23.1-507.1 as follows:**

**§ 23.1-507.1. Tuition charges for certain non-Virginia students at certain public institutions of higher education; flexibility.**

*Any requirement in the general appropriation act that (i) the tuition and mandatory educational and general fee rates for undergraduate non-Virginia students at each public institution of higher education cover at least 100 percent of the average cost of the education of such students, as calculated through base adequacy guidelines adopted and periodically amended by the Joint Subcommittee Studying Higher Education Funding Policies or (ii) the total revenue generated by the collection of tuition and fees from all students at each such institution is within the nongeneral fund appropriation for educational and general programs provided in the general appropriation act is waived in relation to any non-Virginia undergraduate student who has completed 30 credit hours of coursework and who is enrolled in a data science and technology, science and engineering, health care, or education program at Norfolk State University, Virginia State University, or any public institution of higher education at which the proportion of full-time equivalent undergraduate non-Virginia student enrollment is less than 20 percent.*