

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

### **Introduced**

## **House Bill 2771**

BY DELEGATES YOUNG, QUEEN, KESSINGER, ZUKOFF,

HANSEN, FLUHARTY, CAPITO, SKAFF, GARCIA,

HORNBUCKLE AND HAYNES

[Introduced February 26, 2021; Referred to the  
Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18B-1-12, relating to providing tuition fees at an institution of higher education  
 3 for certain persons, who are not yet residents, at the rate for residents of the state; and  
 4 providing requirements to be met by these persons before qualified for resident tuition  
 5 rates, based upon employment by a business or organization that is established in this  
 6 state as part of a program under the Economic Development Act of 1985.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. GOVERNANCE.**

**§18B-1-12. Economic development and diversification.**

1 (a) A person who registers at an institution of higher education without having established  
 2 resident status in this state is entitled to pay tuition and required fees at the rate provided for  
 3 residents of this state if:

4 (1) The person or, as determined by Higher Education Policy Commission, an adult  
 5 member of the person’s family who resides in the person’s household and is a primary caretaker  
 6 of the person establishes by the institution’s enrollment date a residence in this state as a result  
 7 of the person’s or caretaker’s employment by a business or organization that, not earlier than five  
 8 years before the enrollment date, became established in this state as part of a program under the  
 9 Economic Development Act of 1985 authorized by the law of this state; and

10 (2) The person files with that institution of higher education a letter of intent to establish  
 11 residency in this state.

12 (b) The Higher Education Policy Commission, in consultation with the Secretary of the  
 13 Department of Commerce, shall establish procedures to determine:

14 (1) Whether a business or organization meets the requirements of this section; and

15 (2) The date on which the business or organization became established in this state as  
 16 part of a program under the Economic Development Act of 1985.

NOTE: The purpose of this bill is to providing tuition fees at an institution of higher education for certain persons, who are not yet residents, at the rate for residents of the state; and providing requirements to be met by these persons before qualified for resident tuition rates, based upon employment by a business or organization that is established in this state as part of a program under the Economic Development Act of 1985.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.