

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

**House Bill 2457**

By Delegate Rohrbach

[Introduced January 11, 2023; Referred to the  
Committee on Education then Finance]

1 A BILL to amend and reenact §18B-10-7a of the Code of West Virginia, 1931, as amended,  
 2 relating to tuition and fee waivers or adjustments for resident students and certain non-  
 3 resident students; and by decreasing the eligibility age from 65 to 60 years of age or older.

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

**ARTICLE 10. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF  
 HIGHER EDUCATION.**

**§18B-10-7a. Tuition and fee waivers or adjustments for residents and certain nonresidents  
 at least ~~sixty-five~~ 60 years old.**

1 (a) Each governing board shall promulgate a rule establishing a reduced tuition and fee  
 2 program for senior citizens. The rule shall include at least the following:

3 (1) One option for individuals who attend undergraduate and graduate courses without  
 4 receiving credit and one option for those who attend undergraduate and graduate courses for  
 5 credit;

6 (2) A requirement that the following conditions be met under either option of the program:

7 (A) The participant is a resident of West Virginia or classified as a metro area student at the  
 8 institution;

9 (B) The participant is ~~sixty-five~~ 60 years of age or older; and

10 (C) Classroom space is available;

11 (3) A method of establishing priority for allowing a participant to attend a class or course;

12 (4) A determination of whether to require participants to pay special fees, including  
 13 laboratory fees, if the fees are required of all other students;

14 (5) A determination of whether to require participants to pay for parking;

15 (6) Requirements for participants in the program under the no credit option:

16 (A) A grade or credit may not be given; and

17 (B) The total tuition and fees charged for each course or class, excluding laboratory and

18 parking fees, may not exceed \$50 After July 1, 2004, the governing boards may change the  
19 maximum fee; and

20 (C) Any differential tuition for qualified nonresident students shall not exceed 50 percent of  
21 the rate for West Virginia resident students;

22 (7) A requirement for participants in the program under the for credit option that tuition and  
23 fee rates may not exceed 50 percent of the normal rates charged to state residents by the  
24 institution.

25 (b) The provisions of this section apply to both classroom-based courses, electronic and  
26 Internet-based courses, and all other distance education delivery.

NOTE: The purpose of this bill is to expand tuition and fee waivers or adjustments for senior citizens by including in the statute certain nonresident students and by decreasing the eligibility age from 65 years to 60 years of age or older.

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