

2026 SESSION

INTRODUCED

26104284D

HOUSE BILL NO. 990

Offered January 14, 2026

Prefiled January 13, 2026

1 A BILL to amend the Code of Virginia by adding in Chapter 6 of Title 23.1 an article numbered 2.1,
2 consisting of sections numbered 23.1-616.1 through 23.1-616.5, and by adding in Chapter 13 of Title 23.1
3 a section numbered 23.1-1311, relating to certain public institutions of higher education; enrollment
4 limitations in incoming freshman classes; Virginia Higher Education Scholarship Act Fund and Program
5 established.

6 Patron—Garrett

7 Committee Referral Pending

8 Be it enacted by the General Assembly of Virginia:

9 1. That the Code of Virginia is amended by adding in Chapter 6 of Title 23.1 an article numbered 2.1,
10 consisting of sections numbered 23.1-616.1 through 23.1-616.5, and by adding in Chapter 13 of Title
11 23.1 a section numbered 23.1-1311 as follows:

12 Article 2.1.

13 Virginia Higher Education Scholarship Act.

14 § 23.1-616.1. Definitions.

15 As used in this article, unless the context requires a different meaning:

16 "Eligible institution" means any public institution of higher education to which an eligible student may
17 apply his Program scholarship pursuant to § 23.1-616.5.

18 "Eligible student" means a student who is eligible for a Program scholarship pursuant to § 23.1-616.4.

19 "Fund" means the Virginia Higher Education Scholarship Act Fund established in § 23.1-616.2.

20 "Program" means the Virginia Higher Education Scholarship Act Program established in § 23.1-616.3.

21 § 23.1-616.2. Virginia Higher Education Scholarship Act Fund.

22 There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia
23 Higher Education Scholarship Act Fund. The Fund shall be established on the books of the Comptroller. All
24 funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or
25 private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in
26 the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including
27 interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the
28 Fund. Moneys in the Fund shall be used solely for the purpose of awarding scholarships to eligible students
29 pursuant to the Program. Expenditures and disbursements from the Fund shall be made by the State
30 Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Council.

31 § 23.1-616.3. Virginia Higher Education Scholarship Program.

32 A. There is hereby established the Virginia Higher Education Scholarship Program whereby, beginning
33 with the 2026–2027 academic year, any eligible student may apply to the Council for a scholarship from the
34 Fund. Each such scholarship shall be in an amount equal to the cost of tuition, room and board, and
35 mandatory fees for eight semesters at the student's selected eligible institution. Each such scholarship shall
36 expire five calendar years after it is awarded.

37 B. Program scholarships shall be awarded in the order that each completed application is received from
38 an eligible student. In the event that the amount of scholarships requested in a fiscal year exceeds the funds
39 available in the Fund, scholarships shall be paid in the next fiscal year in which funds are available.

40 C. The Council shall develop guidelines setting forth the general requirements for qualifying for a
41 Program scholarship and shall establish a Program scholarship application form. Such guidelines and form
42 shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

43 § 23.1-616.4. Eligible students.

44 A. A student is eligible for a Program scholarship if he (i) graduated from public high school in the
45 Commonwealth; (ii) graduated in the top two percent of his graduating class based on grade point average,
46 or if the graduating class was fewer than 50 students, if he was the top student in the class based on grade
47 point average; (iii) is eligible for in-state tuition pursuant to Chapter 5 (§ 23.1-500 et seq.); and (iv) is
48 accepted for admission at an eligible institution.

49 B. The percentage of eligible students at any public high school shall not exceed two percent of the
50 school's graduating class unless the graduating class was fewer than 50 students. In the event of a tie
51 between students that would result in the percentage of eligible students exceeding two percent, the high
52 school principal shall make the tiebreaking decision.

53 C. The scholarship of any eligible student who is dismissed from an eligible institution shall be revoked.

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59 § 23.1-616.5. Eligible institutions.

60 An eligible student may utilize a Program scholarship to attend the following eligible institutions:

- 61 1. Norfolk State University.
- 62 2. Virginia Military Institute.
- 63 3. Virginia State University.

64 4. Christopher Newport University, if the eligible student graduated from a public high school located in
65 Greensville, Isle of Wight, James City, Southampton, Surry, Sussex, or York County or the City of Emporia,
66 Franklin, Hampton, Newport News, Poquoson, or Williamsburg.

67 5. George Mason University, if the eligible student graduated from a public high school located in
68 Arlington, Fairfax, Fauquier, Loudoun, or Prince William County or the City of Alexandria, Fairfax, Falls
69 Church, Manassas, or Manassas Park.

70 6. James Madison University, if the eligible student graduated from a public high school located in
71 Albemarle, Alleghany, Amherst, Augusta, Bath, Bedford, Botetourt, Clarke, Culpeper, Frederick, Greene,
72 Highland, Madison, Nelson, Orange, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, or
73 Warren County or the City of Buena Vista, Charlottesville, Covington, Harrisonburg, Lexington, Lynchburg,
74 Staunton, Waynesboro, or Winchester.

75 7. Longwood University, if the eligible student graduated from a public high school located in Amelia,
76 Appomattox, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Halifax, Lunenburg,
77 Mecklenburg, Nottoway, Pittsylvania, or Prince Edward County or the City of Danville.

78 8. The University of Mary Washington, if the eligible student graduated from a public high school located
79 in Caroline, Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews,
80 Middlesex, Northumberland, Richmond, Spotsylvania, Stafford, or Westmoreland County or the City of
81 Fredericksburg.

82 9. Old Dominion University, if the eligible student graduated from a public high school located in
83 Accomack or Northampton County or the City of Chesapeake, Norfolk, Portsmouth, Suffolk, or Virginia
84 Beach.

85 10. Radford University, if the eligible student graduated from a public high school located in Bland,
86 Carroll, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski, Roanoke, or Wythe County or
87 the City of Martinsville, Radford, Roanoke, or Salem.

88 11. The University of Virginia's College at Wise, if the eligible student graduated from a public high
89 school located in Buchanan, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, or Wise
90 County or the City of Bristol, Galax, or Norton.

91 12. Virginia Commonwealth University, if the eligible student graduated from a public high school
92 located in Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Louisa, New Kent,
93 Powhatan, or Prince George County or the City of Colonial Heights, Hopewell, Petersburg, or Richmond.

**94 § 23.1-1311. Boards of visitors of certain baccalaureate public institutions of higher education; certain
95 student enrollment limitations.**

96 Beginning with the incoming freshman class in the 2027 academic year, the board of visitors of each
97 baccalaureate public institution of higher education, with the exception of Norfolk State University, Virginia
98 Military Institute, and Virginia State University, shall ensure that the annual percentage of undergraduate
99 non-Virginia students in each incoming freshman class does not exceed 45 percent.