MISSISSIPPI LEGISLATURE REGULAR SESSION 2002

To: Universities and Colleges

By: Representative Mayo

HOUSE BILL NO. 1136

AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972, TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES TO WAIVE OUT-OF-STATE TUITION FOR NONRESIDENTS WHO WERE BORN IN MISSISSIPPI AND ARE VETERANS OF THE UNITED STATES ARMED FORCES; TO AMEND SECTIONS 37-29-81, 37-29-423 AND 37-103-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 37-103-25, Mississippi Code of 1972, is amended as follows:

37-103-25. (1) The Board of Trustees of State Institutions of Higher Learning and the boards of trustees of the community colleges and junior colleges are authorized to prescribe the amount of tuition and fees to be paid by students attending the several state-supported institutions of higher learning and community colleges and junior colleges of the State of Mississippi.

(2) Except as otherwise provided in this subsection, the total tuition to be paid by residents of other states shall not be less than the average cost per student from appropriated funds. However, the tuition to be paid by a resident of another state shall be equal to the tuition amount established under subsection (1) of this section if:

(a) The nonresident student was born in the State of Mississippi but subsequently relocated and resided outside the state as a minor under the care of the minor's father or mother, or both;

(b) The nonresident student is a veteran who served in the Armed Forces of the United States; and
(c) The nonresident student is domiciled in Mississippi no later than six (6) months after the nonresident student's separation from service, as evidenced by a Report of Separation from Military Service or other military discharge document, for the purpose of enrolling in a state institution of higher learning or a community or junior college.

SECTION 2. Section 37-29-81, Mississippi Code of 1972, is amended as follows:

37-29-81. The district, in the discretion of the board of trustees, may charge fees and tuitions in accordance with Section 37-103-25.

SECTION 3. Section 37-29-423, Mississippi Code of 1972, is amended as follows:

37-29-423. The Mississippi Gulf Coast Junior College District, in the discretion of the board of trustees, may charge fees and tuitions in accordance with Section 37-103-25.

SECTION 4. Section 37-103-5, Mississippi Code of 1972, is amended as follows:

37-103-5. A person who has entered the State of Mississippi from another state and enters an educational institution is considered a nonresident. Even though he may have been legally adopted by a resident of Mississippi, or may have been a qualified voter, or a landowner, or may otherwise have sought to establish legal residence, except as otherwise provided in Section 37-103-25(2), such a person will still be considered as being a nonresident of Mississippi if he has entered this state for the purpose of enrolling in an educational institution.

SECTION 5. This act shall take effect and be in force from and after July 1, 2002.