

By: Representative Lott

To: Universities and
Colleges

HOUSE BILL NO. 1144

1 AN ACT TO AMEND SECTIONS 37-103-7 AND 37-103-23, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY THAT ALL ALIENS OF FOREIGN COUNTRIES ARE
3 CLASSIFIED AS NONRESIDENTS OF THE STATE, REGARDLESS OF THEIR
4 IMMIGRATION STATUS OR PLACE OF DOMICILE IN THE UNITED STATES, FOR
5 TUITION PURPOSES; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-103-7, Mississippi Code of 1972, is
8 amended as follows:

9 37-103-7. For purposes of determining whether a person pays
10 out-of-state or in-state tuition for attendance at universities
11 and community and junior colleges, the residence of a person less
12 than twenty-one (21) years of age is that of the father, the
13 mother or a general guardian duly appointed by a proper court in
14 Mississippi. If a court has granted custody of the minor to one
15 (1) parent, the residence of the minor is that of the parent who
16 was granted custody by the court. If both parents are dead, the
17 residence of the minor is that of the last surviving parent at the
18 time of that parent's death, unless the minor lives with a general
19 guardian duly appointed by a proper court of Mississippi, in which
20 case his residence becomes that of the guardian. A student, other
21 than an alien of a foreign country, residing within the State of
22 Mississippi who, upon registration at a Mississippi institution of
23 higher learning or community college, presents a transcript
24 demonstrating graduation from a Mississippi secondary school and
25 who has been a secondary school student in Mississippi for not
26 less than the final four (4) years of secondary school attendance
27 shall not be required to pay out-of-state tuition. This section

28 shall not apply to the residence of a person as it relates to
29 residency for voter registration or voting.

30 **SECTION 2.** Section 37-103-23, Mississippi Code of 1972, is
31 amended as follows:

32 37-103-23. Notwithstanding the place of domicile in the
33 United States of an alien of a foreign country, every alien,
34 whether having legal immigration status or not, is classified as a
35 nonresident of the state and as such, must pay the tuition
36 established for residents of other states under Section 37-103-25.

37 **SECTION 3.** This act shall take effect and be in force from
38 and after July 1, 2007.