

By: Representatives Barker, Harrison,  
Holloway, Horan, Mettetal, Watson, Monsour

To: Universities and  
Colleges

HOUSE BILL NO. 1095

1 AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER  
3 LEARNING TO ALLOW INSTITUTIONS TO WAIVE OUT-OF-STATE TUITION WHEN  
4 ACCORDANCE WITH A WAIVER POLICY IS REQUESTED BY THE PRESIDENT OR  
5 CHANCELLOR OF THE INSTITUTION AND DETERMINED TO BE FISCALLY  
6 RESPONSIBLE BY THE BOARD; AND FOR RELATED PURPOSES.

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

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

10 37-103-25. (1) The Board of Trustees of State Institutions  
11 of Higher Learning and the boards of trustees of the community  
12 colleges and junior colleges are authorized to prescribe the  
13 amount of tuition and fees to be paid by students attending the  
14 several state-supported institutions of higher learning and  
15 community colleges and junior colleges of the State of  
16 Mississippi.

17 (2) Except as otherwise provided in this subsection and  
18 subsection (3) of this section, the total tuition to be paid by  
19 residents of other states shall not be less than the average cost  
20 per student from appropriated funds. However, the tuition to be  
21 paid by a resident of another state shall be equal to the tuition  
22 amount established under subsection (1) of this section if:

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

27 (b) The nonresident student is a veteran who served in  
28 the Armed Forces of the United States;



29           (c) The nonresident student is domiciled in Mississippi  
30 no later than six (6) months after the nonresident student's  
31 separation from service, as evidenced by a Report of Separation  
32 from Military Service or other military discharge document, for  
33 the purpose of enrolling in a state institution of higher learning  
34 or a community or junior college; \* \* \*

35           (d) The nonresident student is an evacuee of an area  
36 affected by Hurricane Katrina or Hurricane Rita. This waiver  
37 shall be applicable to the 2005-2006 school year only; or

38           (e) The nonresident student's out-of-state tuition was  
39 waived according to subsection (3) of this section.

40           (3) The Board of Trustees of State Institutions of Higher  
41 Learning may, in its discretion, consider and grant requests to  
42 approve institution specific policies permitting the waiver of  
43 out-of-state tuition when such an official request is made by the  
44 president or chancellor of the institution and when such request  
45 is determined by the board to be fiscally responsible and in  
46 accordance with the educational mission of the requesting  
47 institution.

48           **SECTION 2.** This act shall take effect and be in force from  
49 and after July 1, 2012.

