

By: Representative Bain

To: Universities and  
Colleges; Appropriations

HOUSE BILL NO. 518

1 AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972,  
2 TO WAIVE OUT-OF-STATE TUITION FEES FOR NONRESIDENT CHILDREN OF  
3 MISSISSIPPI EMERGENCY SERVICE PERSONNEL MEMBERS OR FIRST  
4 RESPONDERS EMPLOYED BY A POLITICAL SUBDIVISION OF THE STATE AND  
5 WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

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

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

9 37-103-25. (1) The Board of Trustees of State Institutions  
10 of Higher Learning and the boards of trustees of the community  
11 colleges and junior colleges are authorized to prescribe the  
12 amount of tuition and fees to be paid by students attending the  
13 several state-supported institutions of higher learning and  
14 community colleges and junior colleges of the State of  
15 Mississippi.

16 (2) Except as otherwise provided in this subsection and  
17 subsections (3) and (4) of this section, the total tuition to be  
18 paid by residents of other states shall not be less than the  
19 average cost per student from appropriated funds. However, the



20 tuition to be paid by a resident of another state shall be equal  
21 to the tuition amount established under subsection (1) of this  
22 section if:

23 (a) The nonresident student is either a veteran, as  
24 defined by Title 38 of the United States Code, or a person  
25 entitled to education benefits under Title 38 of the United States  
26 Code. Nonresident students enrolled in a professional school or  
27 college at a state institution of higher learning are excluded  
28 from this paragraph (2) (a) except for those nonresident students  
29 who must be charged tuition equal to the amount established under  
30 subsection (1) due to the provisions of Section 702 of the  
31 Veterans Access, Choice and Accountability Act of 2014. This  
32 paragraph (a) shall be administered and interpreted in the manner  
33 necessary to obtain or retain approval of courses of education by  
34 the Secretary of the United States Department of Veterans Affairs;

35 (b) The nonresident student is \* \* \* the child of a  
36 Mississippi resident who is an emergency service personnel member  
37 or first responder employed by a political subdivision of the  
38 state, and who is killed in the line of duty; and

39 (c) The nonresident student's out-of-state tuition was  
40 waived according to subsection (3) or (4) of this section.

41 (3) The Board of Trustees of State Institutions of Higher  
42 Learning may, in its discretion, consider and grant requests to  
43 approve institution specific policies permitting the waiver of  
44 out-of-state tuition when such an official request is made by the



45 president or chancellor of the institution and when such request  
46 is determined by the board to be fiscally responsible and in  
47 accordance with the educational mission of the requesting  
48 institution.

49 (4) The board of trustees of any community college or junior  
50 college may develop and implement a policy for waiving  
51 out-of-state tuition for the college if the policy is determined  
52 by the board to be in accordance with the educational mission of  
53 the college and if a local industry or business or a state agency  
54 agrees to reimburse the college for the entire amount of the  
55 out-of-state tuition that will be waived under the policy. State  
56 funds shall be allocated and spent only on students who reside  
57 within the State of Mississippi. However, associate degree  
58 nursing students who reside outside the State of Mississippi may  
59 be counted for pay purposes.

60 **SECTION 2.** This act shall take effect and be in force from  
61 and after July 1, 2018.

