

By: Representative Williams-Barnes

To: Universities and  
Colleges; Appropriations

## HOUSE BILL NO. 841

1 AN ACT TO PROVIDE FOR THE WAIVER OF TUITION, REQUIRED FEES  
2 AND BOOK COSTS AT THE STATE INSTITUTIONS OF HIGHER LEARNING AND  
3 COMMUNITY AND JUNIOR COLLEGES FOR THE CHILDREN OF CERTAIN DECEASED  
4 VETERANS AND DISABLED VETERANS; TO PROVIDE FOR THE PARTIAL WAIVER  
5 OF TUITION, REQUIRED FEES AND BOOK COSTS AT THE STATE INSTITUTIONS  
6 OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES FOR THE  
7 CHILDREN, SPOUSES AND UNREMARIED WIDOWS AND WIDOWERS OF CERTAIN  
8 DECEASED VETERANS AND DISABLED VETERANS; TO PROVIDE THAT  
9 APPLICATIONS FOR WAIVERS MUST INCLUDE CERTAIN DOCUMENTATION; TO  
10 PROVIDE THAT TUITION MAY BE WAIVED FOR BOTH FULL-TIME AND  
11 PART-TIME STUDENTS; TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE  
12 INSTITUTIONS OF HIGHER LEARNING SHALL BE THE ADMINISTERING AGENCY  
13 OF THE TUITION WAIVER PROGRAMS; TO AMEND SECTION 37-103-19,  
14 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS  
15 ACT; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** (1) For the purposes of this section, the  
18 following words and phrases shall have the meanings ascribed in  
19 this section unless the context clearly indicates:

20 (a) "Child" means a natural child, legally adopted  
21 child or stepchild.

22 (b) "Tuition" means the quarter, semester, trimester or  
23 term charges, all required fees and book costs; however, the term



"tuition" does not include food, housing costs, school supplies, materials, dues or fees for extracurricular activities.

(2) Beginning with the 2020-2021 academic year, any resident of the State of Mississippi, as defined in Section 37-103-1 et seq., who is the child of a veteran of the United States Armed Forces who (a) was killed in the line of duty or died as the result of a service-connected disability as determined by the United States Department of Veterans Affairs, (b) has been rated as having one hundred percent (100%) or total disability by the United States Department of Veterans Affairs or (c) was discharged or retired from the armed forces with a disability rating of forty percent (40%) or more and has maintained that percentage, and who is enrolled in or accepted for enrollment at a state institution of higher learning or a public community or junior college in Mississippi, may apply for a waiver of tuition at the institution of higher learning or community or junior college. In order to be eligible for a tuition waiver, a child must not have reached twenty-four (24) years of age on the first day of the quarter, semester, trimester or term for which the child is enrolling. However, any child who has begun earning academic credit in furtherance of an associate or baccalaureate degree or certificate program before attaining twenty-four (24) years of age whose instruction is interrupted for any reason is eligible to receive academic waivers in furtherance of the degree or certificate toward which the student is working, subject to the conditions



prescribed in subsection (3) of this section. An application for a tuition waiver must be accompanied by proper proof that the veteran is a veteran of the United States Armed Forces and that the veteran was killed in the line of duty or died as a result of a service-connected disability as determined by the United States Department of Veterans Affairs or meets the applicable disability requirement.

(3) A waiver of tuition awarded under this section may not exceed the actual cost of tuition at the institution of higher learning or community or junior college at which the child of a deceased or qualified disabled veteran is enrolled or accepted for enrollment and may be reduced by an amount to ensure the value of the waiver, combined with any other grants, scholarships and benefits received by the student, does not exceed the actual cost or tuition. Both full-time and part-time students may apply for a waiver under this section. Students enrolling on a full-time basis may receive a maximum of four (4) annual waivers, and in those instances when a degree program requires five (5) years for completion, five (5) annual waivers. The number of waivers that may be granted to a student attending school on a part-time basis may not exceed the length of time required to complete the associate or baccalaureate degree or certificate program toward which the student is working. A person who has a baccalaureate degree is not eligible for a waiver of tuition under this section,



73 and any person who has an associate degree may receive waivers  
74 only in furtherance of a baccalaureate degree.

75 (4) As a condition for renewal of a waiver of tuition, a  
76 student must make steady academic progress toward a certificate or  
77 associate or baccalaureate degree, as certified by the  
78 institution's registrar, and must maintain a cumulative grade  
79 point average of at least 2.00 calculated on a 4.00 scale at the  
80 end of each term.

81 (5) The Board of Trustees of State Institutions of Higher  
82 Learning and the Mississippi Community College Board jointly shall  
83 promulgate rules and regulations necessary to carry out the  
84 purposes of this section. The Board of Trustees of State  
85 Institutions of Higher Learning is the administering agency of the  
86 tuition waiver program.

87 (6) It is the intent of the Legislature that all children of  
88 deceased veterans and all children of veterans with a qualifying  
89 disability who are eligible for a waiver of tuition under this  
90 section be granted a waiver. If funding at a state institution of  
91 higher learning or community or junior college is insufficient to  
92 provide a waiver of tuition for all eligible applicants at that  
93 institution or college, the board shall grant the tuition waivers  
94 to students on a first-come, first-served basis; however, priority  
95 consideration must be given to persons previously receiving  
96 waivers under this section who are making steady academic progress



toward completion of a certificate program or associate or  
baccalaureate degree.

(7) The Legislature shall appropriate all funds necessary to  
carry out the provisions of this section.

**SECTION 2.** (1) For the purposes of this section, the  
following words and phrases shall have the meanings ascribed in  
this section unless the context clearly indicates:

(a) "Child" means a natural child, legally adopted  
child or stepchild.

(b) "Spouse" means husband or wife.

(c) "Tuition" means the quarter, semester, trimester or  
term charges, all required fees and book costs; however, the term  
"tuition" does not include food, housing costs, school supplies,  
materials, dues or fees for extracurricular activities.

(2) Beginning with the 2020-2021 academic year, any resident  
of the State of Mississippi, as defined in Section 37-103-1 et  
seq., who is the child, spouse or unremarried widow or widower of  
a veteran of the United States Armed Forces rated as having  
disability of at least forty percent (40%) but not more than  
ninety percent (90%) by the United States Department of Veterans  
Affairs or was rated as having disability of at least forty  
percent (40%) by the United States Department of Veterans Affairs  
at the time of the veteran's death, and who is enrolled in or  
accepted for enrollment at a state institution of higher learning  
or a public community or junior college in Mississippi, may apply



for a waiver of sixty percent (60%) of tuition at the institution of higher learning or community or junior college. In order for a child to be eligible for a tuition waiver, the child must not have reached twenty-four (24) years of age on the first day of the quarter, semester, trimester or term for which the child is enrolling. However, any child who has begun earning academic credit in furtherance of an associate or baccalaureate degree or certificate program before attaining twenty-four (24) years of age whose instruction is interrupted for any reason is eligible to receive academic waivers in furtherance of the degree or certificate toward which the student is working, subject to the conditions prescribed in subsection (3) of this section. An application for a tuition waiver must be accompanied by proper proof that the veteran is a veteran of the United States Armed Forces and meets the applicable disability requirement.

(3) A waiver of tuition awarded under this section may not exceed sixty percent (60%) of the actual cost of tuition at the institution of higher learning or community or junior college at which the child, spouse or unremarried widow or widower is enrolled or accepted for enrollment and may be reduced by an amount to ensure the value of the waiver, combined with any other grants, scholarships and benefits received by the student, does not exceed the actual cost or tuition. Both full-time and part-time students may apply for a waiver under this section. Students enrolling on a full-time basis may receive a maximum of



four (4) annual waivers, and in those instances when a degree program requires five (5) years for completion, five (5) annual waivers. The number of waivers that may be granted to a student attending school on a part-time basis may not exceed the length of time required to complete the associate or baccalaureate degree or certificate program toward which the student is working. A person who has a baccalaureate degree is not eligible for a waiver of tuition under this section, and any person who has an associate degree may receive waivers only in furtherance of a baccalaureate degree.

(4) As a condition for renewal of a waiver of tuition, a student must make steady academic progress toward a certificate or associate or baccalaureate degree, as certified by the institution's registrar, and must maintain a cumulative grade point average of at least 2.00 calculated on a 4.00 scale at the end of each term.

(5) The Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board jointly shall promulgate rules and regulations necessary to carry out the purposes of this section. The Board of Trustees of State Institutions of Higher Learning is the administering agency of the tuition waiver program.

(6) It is the intent of the Legislature that all persons who are eligible for a waiver of tuition under this section be granted a waiver. If funding at a state institution of higher learning or



community or junior college is insufficient to provide a waiver of tuition for all eligible applicants at that institution or college, the board shall grant the tuition waivers to students on a first-come, first-served basis; however, priority consideration must be given to persons previously receiving waivers under this section who are making steady academic progress toward completion of a certificate program or associate or baccalaureate degree.

(7) The Legislature shall appropriate all funds necessary to carry out the provisions of this section.

**SECTION 3.** Section 37-103-19, Mississippi Code of 1972, is amended as follows:

37-103-19. (1) Resident status of a spouse or child of a member of the Armed Forces of the United States on extended active duty shall be that of the military spouse or parent for the purpose of attending state-supported institutions of higher learning and community/junior colleges of the State of Mississippi during the time that the military spouse or parent is stationed within the State of Mississippi and shall be continued through the time that the military spouse or parent is stationed in an overseas area with last duty assignment within the State of Mississippi, excepting temporary training assignments en route from Mississippi. Resident status of a spouse or minor child terminates upon reassignment under Permanent Change of Station Orders of the military spouse or parent for duty in the continental United States outside the State of Mississippi,





197 excepting temporary training assignments en route from  
198 Mississippi. However, except for spouses who enroll at a  
199 professional school or college, spouses or children of members of  
200 the Armed Forces who attain Mississippi residency in accordance  
201 with the provisions of this subsection and who enroll full time in  
202 a Mississippi institution of higher learning or community/junior  
203 college shall maintain their residency status so long as they  
204 remain enrolled in good standing at a Mississippi institution of  
205 higher learning or community/junior college. Enrollment during  
206 summer school is not required to maintain such resident status.

207 (2) The spouse or child of a member of the Armed Forces of  
208 the United States who dies or is killed is entitled to pay the  
209 resident tuition fee if the spouse or child becomes a resident of  
210 Mississippi within one hundred eighty (180) days of the date of  
211 death as well as entitled to received a tuition waiver under  
212 Sections 1 or 2 of this act.

213 (3) If a member of the Armed Forces of the United States is  
214 stationed outside Mississippi and the member's spouse or child  
215 establishes residence in Mississippi and registers with the  
216 Mississippi institution of higher learning or community/junior  
217 college at which the spouse or child plans to attend, the  
218 institution of higher education or community/junior college shall  
219 permit the spouse or child to pay the tuition, fees and other  
220 charges provided for Mississippi residents without regard to



length of time that the spouse or child has resided in  
Mississippi.

(4) A member of the Armed Forces of the United States or the  
child or spouse of a member of the Armed Forces of the United  
States who is entitled to pay tuition and fees at the rate  
provided for Mississippi residents under another provision of this  
section shall maintain resident classification for tuition and fee  
purposes as long as he or she is continuously enrolled at a  
Mississippi institution of higher learning or community/junior  
college. A student may withdraw or may choose not to reenroll for  
no more than one (1) semester or term while pursuing a degree or  
certificate without losing resident status only if that student  
provides sufficient documentation by a physician that the student  
has a medical condition that requires withdrawal or nonenrollment.  
For purposes of this subsection, a person is not required to  
enroll in a summer term to remain continuously enrolled in a  
degree or certificate program. The person's eligibility to pay  
tuition and fees at the rate provided for Mississippi residents  
under this subsection does not terminate because the person is no  
longer a member of the Armed Forces of the United States or the  
child or spouse of a member of the Armed Forces of the United  
States.

**SECTION 4.** Sections 1 and 2 of this act shall be codified as  
new sections in Chapter 106, Title 37, Mississippi Code of 1972.



245           **SECTION 5.** This act shall take effect and be in force from  
246 and after July 1, 2020.

