

By: Representatives Mims, Foster

To: Universities and
Colleges; Appropriations A

HOUSE BILL NO. 1311

1 AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE BOARD OF TRUSTEES OF COMMUNITY AND JUNIOR
3 COLLEGES WHICH BORDER ANOTHER STATE TO IMPLEMENT A POLICY FOR
4 REDUCING OR WAIVING OUT-OF-STATE TUITION FOR RESIDENTS OF THE
5 BORDERING STATE WHO RESIDE IN COUNTIES OR PARISHES ADJACENT TO THE
6 COMMUNITY COLLEGE DISTRICT; 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 subsections (3) and (4) of this section, the total tuition to be
19 paid by residents of other states shall not be less than the
20 average cost per student from appropriated funds. However, the



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

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

36 (b) The nonresident student is an evacuee of an area
37 affected by Hurricane Katrina or Hurricane Rita. This waiver
38 shall be applicable to the 2005-2006 school year only * * * ; 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) (a) The board of trustees of any community college or
50 junior 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 (b) The board of trustees of any community college
61 located in a municipality or county which borders another state
62 may develop and implement a policy reducing or waiving
63 out-of-state tuition for residents who reside in counties or
64 parishes therein which border the respective community college
65 district for which such tuition policy is adopted. The policy may
66 include minimum criteria for student eligibility for the
67 out-of-state tuition waiver.

68 **SECTION 2.** This act shall take effect and be in force from
69 and after July 1, 2024.

