

By: Representatives Mims, Foster

To: Universities and
Colleges; Appropriations A

HOUSE BILL NO. 1311
(As Passed the House)

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 NONRESIDENTS AND
5 ESTABLISH CRITERIA FOR ELIGIBILITY; 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 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 * * * ; and

38 (c) The nonresident student's out-of-state tuition was
39 waived according to subsection (3) or (4) 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 (4) The board of trustees of any community college or junior
49 college may develop and implement a policy for reducing or waiving
50 out-of-state tuition for the college if the policy is determined
51 by the board to be in accordance with the educational mission of
52 the college * * *. State funds shall be allocated and spent only
53 on students who reside within the State of Mississippi. However,
54 associate degree nursing students who reside outside the State of
55 Mississippi may be counted for pay purposes. Any policy adopted
56 by the board of trustees of a community or junior college under
57 the authority of this subsection shall include minimum criteria
58 for student eligibility for the out-of-state tuition reduction or
59 waiver.

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

