

By: Representative Porter

To: Universities and  
Colleges

HOUSE BILL NO. 1395

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.

