

By: Representative Creekmore IV

To: Universities and  
Colleges; Appropriations A

## HOUSE BILL NO. 582

1 AN ACT TO AMEND SECTION 37-103-7, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THE RESIDENCY REQUIREMENT FOR IN-STATE TUITION RATES  
3 FOR THE PURPOSE OF ATTENDING A STATE-SUPPORTED INSTITUTION OF  
4 HIGHER LEARNING OR COMMUNITY OR JUNIOR COLLEGE SHALL BE A MINIMUM  
5 PERIOD OF TWELVE MONTHS; TO AMEND SECTION 37-103-25, MISSISSIPPI  
6 CODE OF 1972, TO PROVIDE THAT ANY STUDENT WHO HAS RESIDED IN THE  
7 STATE OF MISSISSIPPI FOR A CONTINUOUS PERIOD OF TWELVE MONTHS, OR  
8 WHO HAS RECEIVED A HIGH SCHOOL DIPLOMA FROM A PUBLIC OR PRIVATE  
9 SECONDARY SCHOOL IN THE STATE UPON EVIDENCING THAT HE OR SHE  
10 COMPLETED THE FINAL SCHOLASTIC YEAR ENROLLED THEREIN IN THE YEAR  
11 IMMEDIATELY PRECEDING HIS OR HER ENROLLMENT IN A STATE INSTITUTION  
12 OF HIGHER LEARNING OR COMMUNITY OR JUNIOR COLLEGE SHALL BE  
13 CONSIDERED A RESIDENT FOR PURPOSES OF IN-STATE TUITION; AND FOR  
14 RELATED PURPOSES.

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

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

18 37-103-7. (1) (a) For purposes of determining whether a  
19 person pays out-of-state or in-state tuition for attendance at  
20 universities and community and junior colleges, the residence of a  
21 person less than twenty-one (21) years of age is:

22 (i) That of the father, the mother or a general  
23 guardian duly appointed by a proper court in Mississippi \* \* \*,



provided that such parent or guardian has resided in the State of Mississippi for a minimum period of twelve (12) months;

(ii) If a court has granted custody of the minor to one (1) parent, the residence of the minor is that of the parent who was granted custody by the court \* \* \*, provided that the custodial parent has resided in the State of Mississippi for a minimum period of twelve (12) months; or

(iii) If both parents are dead, the residence of the minor is that of the last surviving parent at the time of that parent's death, provided that the last surviving parent resided in the State of Mississippi for a minimum period of twelve (12) months before his or her death, unless the minor lives with a general guardian duly appointed by a proper court of Mississippi, in which case his residence becomes that of the guardian, provided that such guardian has resided in the State of Mississippi for a minimum period of twelve (12) months.

(b) For purposes of determining whether a person who has reached twenty-one (21) years of age pays out-of-state or in-state tuition for attendance at universities and community and junior colleges, such person must establish and present evidence of proof of residency in the State of Mississippi for a minimum period of twelve (12) months before registering for enrollment at any of the several state-supported institutions of higher learning or community or junior colleges.



(2) A student residing within the State of Mississippi who, upon registration at a Mississippi institution of higher learning or community college, presents a transcript demonstrating graduation from a Mississippi secondary school and who has been a secondary school student in Mississippi for not less than the final \* \* \* year of secondary school attendance shall not be required to pay out-of-state tuition. This section shall not apply to the residence of a person as it relates to residency for voter registration or voting.

**SECTION 2.** Section 37-103-25, Mississippi Code of 1972, is amended as follows:

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

(2) Except as otherwise provided in this subsection and subsections (3) \* \* \*, (4) and (5) of this section, the total tuition to be paid by residents of other states shall not be less than the average cost per student from appropriated funds. However, the tuition to be paid by a resident of another state shall be equal to the tuition amount established under subsection (1) of this section if:



72 (a) The nonresident student is either a veteran, as  
73 defined by Title 38 of the United States Code, or a person  
74 entitled to education benefits under Title 38 of the United States  
75 Code. Nonresident students enrolled in a professional school or  
76 college at a state institution of higher learning are excluded  
77 from this paragraph (2)(a) except for those nonresident students  
78 who must be charged tuition equal to the amount established under  
79 subsection (1) due to the provisions of Section 702 of the  
80 Veterans Access, Choice and Accountability Act of 2014. This  
81 paragraph (a) shall be administered and interpreted in the manner  
82 necessary to obtain or retain approval of courses of education by  
83 the Secretary of the United States Department of Veterans Affairs;

84 (b) The nonresident student is an evacuee of an area  
85 affected by Hurricane Katrina or Hurricane Rita. This waiver  
86 shall be applicable to the 2005-2006 school year only \* \* \*;and

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

89 (3) The Board of Trustees of State Institutions of Higher  
90 Learning may, in its discretion, consider and grant requests to  
91 approve institution specific policies permitting the waiver of  
92 out-of-state tuition when such an official request is made by the  
93 president or chancellor of the institution and when such request  
94 is determined by the board to be fiscally responsible and in  
95 accordance with the educational mission of the requesting  
96 institution.



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

(5) Any student who has resided in the State of Mississippi for a continuous period of twelve (12) months, or who has received a high school diploma from a public or private secondary school in the state upon evidencing that he or she completed the final scholastic year enrolled therein in the year immediately preceding his or her enrollment in a state institution of higher learning or community or junior college and presenting such evidence in the form of a transcript demonstrating graduation at the time of postsecondary registration, shall be considered a resident of this state for the purpose of determining the rate of tuition to be paid for attending the several state-supported institutions of higher learning or community or junior colleges.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2025.

