

By: Representatives Mayo, Montgomery (15th)

To: Universities and Colleges

HOUSE BILL NO. 46

1 AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND
3 JUNIOR COLLEGES TO WAIVE OUT-OF-STATE TUITION FOR NONRESIDENTS WHO
4 WERE BORN IN MISSISSIPPI AND ARE VETERANS OF THE UNITED STATES
5 ARMED FORCES; TO AMEND SECTIONS 37-29-81, 37-29-423 AND 37-103-5,
6 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
7 ACT; AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 37-103-25, Mississippi Code of 1972, is
10 amended as follows:

11 37-103-25. (1) The Board of Trustees of State Institutions
12 of Higher Learning and the boards of trustees of the community
13 colleges and junior colleges are * * * authorized to prescribe the
14 amount of tuition and fees to be paid by students attending the
15 several state-supported institutions of higher learning and
16 community colleges and junior colleges of the State of
17 Mississippi.

18 (2) Except as otherwise provided in this subsection, the
19 total tuition to be paid by residents of other states shall not be
20 less than the average cost per student from appropriated funds.
21 However, the tuition to be paid by a resident of another state
22 shall be equal to the tuition amount established under subsection
23 (1) of this section if:

24 (a) The nonresident student was born in the State of
25 Mississippi but subsequently relocated and resided outside the
26 state as a minor under the care of the minor's father or mother,
27 or both;

28 (b) The nonresident student is a veteran who served in
29 the Armed Forces of the United States; and



30 (c) The nonresident student is domiciled in Mississippi
31 no later than six (6) months after the nonresident student's
32 separation from service, as evidenced by a Report of Separation
33 from Military Service or other military discharge document, for
34 the purpose of enrolling in a state institution of higher learning
35 or a community or junior college.

36 **SECTION 2.** Section 37-29-81, Mississippi Code of 1972, is
37 amended as follows:

38 37-29-81. The district, in the discretion of the board of
39 trustees, may charge fees and tuitions in accordance with Section
40 37-103-25.

41 **SECTION 3.** Section 37-29-423, Mississippi Code of 1972, is
42 amended as follows:

43 37-29-423. The Mississippi Gulf Coast Junior College
44 District, in the discretion of the board of trustees, may charge
45 fees and tuitions in accordance with Section 37-103-25.

46 **SECTION 4.** Section 37-103-5, Mississippi Code of 1972, is
47 amended as follows:

48 37-103-5. A person who has entered the State of Mississippi
49 from another state and enters an educational institution is
50 considered a nonresident. Even though he may have been legally
51 adopted by a resident of Mississippi, or may have been a qualified
52 voter, or a landowner, or may otherwise have sought to establish
53 legal residence, except as otherwise provided in Section
54 37-103-25(2), such a person will still be considered as being a
55 nonresident of Mississippi if he has entered this state for the
56 purpose of enrolling in an educational institution.

57 **SECTION 5.** This act shall take effect and be in force from
58 and after July 1, 2003.

