3/29/19 2:30 P.M.

Chapter No. 438
19/SS36/R151CS
LR / TB/RC

SENATE BILL NO. 2049

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2049

AN ACT TO AMEND SECTION 37-103-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SPOUSE OR CHILD OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES STATIONED IN MISSISSIPPI SHALL BE DEEMED AN IN-STATE RESIDENT FOR PURPOSES OF DETERMINING TUITION AT STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY COLLEGES; TO PROVIDE THAT SUCH SPOUSE OR CHILD MAY CONTINUE TO BE DESIGNATED AS AN IN-STATE RESIDENT IF HE OR SHE MAINTAINS CONTINUOUS ENROLLMENT IN GOOD STANDING; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-103-19, Mississippi Code of 1972, is amended as follows:

37-103-19. (1) Resident status of a spouse or child of a member of the Armed Forces of the United States on extended active duty shall be that of the military spouse or parent for the purpose of attending state-supported institutions of higher learning and community/junior colleges of the State of Mississippi during the time that the military spouse or parent is stationed within the State of Mississippi and shall be continued through the time that the military spouse or parent is stationed in an overseas area with last duty assignment within the State of

Mississippi, excepting temporary training assignments en route from Mississippi. Resident status of a spouse or minor child terminates upon reassignment under Permanent Change of Station Orders of the military spouse or parent for duty in the continental United States outside the State of Mississippi, excepting temporary training assignments en route from Mississippi * * *. However, except for spouses who enroll at a professional school or college, spouses or children of members of the Armed Forces who attain Mississippi residency in accordance with the * * * provisions * * * of this subsection and who enroll full time in a Mississippi institution of higher learning or community/junior college * * * shall maintain their residency status so long as they remain enrolled * * * in good standing at a Mississippi institution of higher learning or community/junior college. Enrollment during summer school is not required to maintain such resident status.

(2) The spouse or child of a member of the Armed Forces of the United States who dies or is killed is entitled to pay the resident tuition fee if the spouse or child becomes a resident of Mississippi within one hundred eighty (180) days of the date of death.

(3) If a member of the Armed Forces of the United States is stationed outside Mississippi and the member's spouse or child establishes residence in Mississippi and registers with the Mississippi institution of higher learning or community/junior

college at which the spouse or child plans to attend, the institution of higher education or community/junior college shall permit the spouse or child to pay the tuition, fees and other charges provided for Mississippi residents without regard to length of time that the spouse or child has resided in Mississippi.

(4) A member of the Armed Forces of the United States or the child or spouse of a member of the Armed Forces of the United States who is entitled to pay tuition and fees at the rate provided for Mississippi residents under another provision of this section * * * shall maintain resident classification for tuition and fee purposes as long as he or she is continuously enrolled * * * at a Mississippi institution of higher learning or community/junior college. A student may withdraw or may choose not to reenroll for no more than one (1) semester or term while pursuing a degree or certificate without losing resident status only if that student provides sufficient documentation by a physician that the student has a medical condition that requires withdrawal or nonenrollment. For purposes of this subsection, a person is not required to enroll in a summer term to remain continuously enrolled in a degree or certificate program. The person's eligibility to pay tuition and fees at the rate provided for Mississippi residents under this subsection does not terminate because the person is no longer a member of the Armed Forces of

the United States or the child or spouse of a member of the Armed Forces of the United States.

SECTION 2. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE SENATE
February 12, 2019

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 12, 2019

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

3/29/2019 2:30pm