

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 116

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO HIGHER EDUCATION; AMENDING SECTION 33-3717A, IDAHO CODE, TO PRO-
2 VIDE THAT TUITION AND FEES IN CERTAIN ACADEMIC YEARS SHALL REMAIN THE
3 SAME AS OR LOWER THAN THEY WERE AS OF DECEMBER 31, 2020, TO PROVIDE FOR
4 THE PROMULGATION OF RULES ALLOWING STUDENTS TO OPT IN OR OPT OUT OF THE
5 PAYMENT OF CERTAIN FEES, AND TO MAKE A TECHNICAL CORRECTION.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 33-3717A, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-3717A. FEES AT STATE COLLEGES AND UNIVERSITIES. (1) Except as oth-
11 erwise provided in this section, tThe state board of education and the board
12 of regents of the university of Idaho may prescribe fees, including tuition
13 fees, for resident and nonresident students enrolled in all state colleges
14 and universities. For purposes of this section, said fees, including tu-
15 ition fees, may be used for any and all educational costs at the state col-
16 leges and universities including, but not limited to, costs associated with:

- 17 (a) Academic services;
18 (b) Instruction;
19 (c) The construction, maintenance and operation of buildings and fa-
20 cilities;
21 (d) Student services; or
22 (e) Institutional support.

23 The state board of education also may prescribe fees for all students for any
24 additional charges that are necessary for the proper operation of each in-
25 stitution.

26 (2) A resident student is a student who meets the residency require-
27 ments imposed by section 33-3717B, Idaho Code.

28 (3) Nothing contained in this section shall prevent the state board of
29 education from waiving fees, including tuition fees, to be paid by nonresi-
30 dent students, as defined in section 33-3717C, Idaho Code, who are enrolled
31 in the state colleges and universities.

32 (4) Nothing contained in this section shall apply to community colleges
33 now or hereafter established pursuant to chapter 21, title 33, Idaho Code,
34 or to postsecondary ~~professional-~~ career technical schools now or hereafter
35 established and not connected to or a part of a state college or university.

36 (5) For academic years 2021-2022 and 2022-2023, tuition and fees for
37 resident and nonresident students shall remain the same as or lower than they
38 were as of December 31, 2020.

39 (6) The state board of education shall promulgate rules that allow a
40 student, prior to the start of each semester, to opt in or opt out of the pay-
41 ment of fees in support of services, groups, educational outreach, train-
42 ings, workshops, events, or programs, provided that such rules shall not al-

1 low a student to opt out of the payment of fees for services, groups, or pro-
2 grams including the general building fee, the capital expenditure reserve,
3 student union building construction, facilities, a health and wellness cen-
4 ter facility, information technology, intercollegiate athletics, a student
5 health center, a career center, special services and facilities for individ-
6 uals with disabilities, campus safety, and the required courses for the de-
7 gree or certification a student is seeking.