

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 79

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2110, IDAHO CODE, TO
2 INCREASE THE TUITION LIMIT FOR COMMUNITY COLLEGES AND TO MAKE TECHNICAL
3 CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
4 DATE.
5

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

7 SECTION 1. That Section 33-2110, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-2110. TUITION. (1) All students of a community college shall pay
10 tuition that shall be fixed annually by the board of trustees ~~not~~ no later
11 than ~~the 1st day of August 1~~ of each year. The tuition for full-time students
12 taking normal academic courses provided by the college, who are residents
13 of the district, shall be fixed at not less than three hundred fifty dollars
14 (\$350) per annum, and may be increased by increments of not more than ten
15 percent (10%) per annum to a maximum tuition of ~~two thousand five hundred~~
16 ~~dollars (\$2,500)~~ three thousand two hundred fifty dollars (\$3,250) per an-
17 num. The tuition shall be, as nearly as is practicable, the annual costs of
18 all elements of providing the courses of instruction, including interest on
19 general obligation bonds, teaching, administration, maintenance, operation
20 and depreciation of equipment and buildings, supplies and fuel, and other
21 ordinary and necessary expenses of operation incurred in providing courses
22 by the community college, provided that the tuition of students residing
23 outside the district but within the county or counties wherein the district
24 is located shall be fixed after taking into account moneys received by the
25 community college district from any funds allocated to the community college
26 from the educational funds of the state of Idaho, other than allocations for
27 career technical education; and provided that the tuition of students resid-
28 ing outside the district and the county but within the state of Idaho shall
29 be fixed after taking into account moneys received from educational funds
30 other than career technical moneys, as referred to in this chapter, from the
31 state of Idaho. Receipt of moneys, as ~~hereinbefore~~ provided in this section,
32 shall be based ~~upon~~ on the receipts from the sources referred to during the
33 fiscal year preceding the fixing of the tuition. A student in a community
34 college shall not be deemed a resident of the district or of the county or of
35 the state of Idaho, unless that student is deemed a resident as defined by
36 section 33-2110B, Idaho Code, for the district, county or state prior to the
37 date of his first enrollment in the community college, and no student who was
38 not a resident of the district, county or state shall gain residence while
39 attending and enrolled in the community college. The residence of a minor
40 shall be deemed to be the residence of his parents or parent or guardian.
41 Tuition shall be payable in advance, but the board may, in its discretion,
42 permit tuition to be paid in installments.

1 (2) The board of trustees shall also fix fees for laboratory and other
 2 special services provided by the community college and for special courses,
 3 including, but not limited to, night school, off-campus courses, summer
 4 school, career technical courses, as otherwise provided in this chapter, and
 5 other special instruction provided by the community college, and nothing in
 6 this chapter shall be deemed to control the amount of tuition for special
 7 courses or fees for special services, as herein provided, but the same shall
 8 be, as nearly as reasonable, sufficient to cover the cost of all elements of
 9 providing courses as ~~above defined~~ described in this subsection.

10 (3) In this chapter, unless the context requires otherwise, the follow-
 11 ing definitions shall be uniformly applied. The application of these defi-
 12 nitions shall be retroactive and prospective.

13 (a) "Fees" shall include all charges imposed by the governing body, to
 14 students, as a whole or individually, in excess of tuition. Student
 15 fees may be imposed for special courses, instruction, and service:

16 (i) "Special course or instruction fee" means those fees charged
 17 for any class or educational endeavor that has unique costs beyond
 18 a traditional college lecture class; for example, foreign lan-
 19 guage audio or visual instruction, specialized musical instruc-
 20 tion, computer class, art class involving supplies or audiovisual
 21 equipment, career technical instruction, laboratory class, re-
 22 medial instruction, team teaching, satellite transmissions,
 23 outside instructor, professionally assisted instruction, etc.

24 (ii) "Special service fee" means those fees charged for activ-
 25 ity, benefit, or assistance offered to students ~~which~~ that is be-
 26 yond traditional classroom instruction; for example, student gov-
 27 ernment support, providing of student health staff or facilities,
 28 student union support, intramural and intercollegiate athletics,
 29 recreational opportunities, financial aid services, graduation
 30 expense, automobile parking, student yearbook/publication, in-
 31 surance, registration, noncapital library user fee, etc.

32 Fees shall not be imposed for any capital improvements except as specif-
 33 ically authorized in chapter 21, title 33, Idaho Code.

34 (b) "Tuition" means a sum charged students for cost of college instruc-
 35 tion and shall include costs associated with maintenance and operation
 36 of physical plant, student services and institutional support.

37 SECTION 2. An emergency existing therefor, which emergency is hereby
 38 declared to exist, this act shall be in full force and effect on and after
 39 July 1, 2025.