LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature                First Regular Session - 2021

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 116

BY EDUCATION COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING SECTION 33-3717A, IDAHO CODE, TO PROVIDE THAT TUITION AND FEES IN certain academic years shall remain the same as or lower than they were as of December 31, 2020, TO PROVIDE FOR THE PROMULGATION OF RULES ALLOWING STUDENTS TO OPT IN OR OPT OUT OF THE PAYMENT OF CERTAIN FEES, AND TO MAKE A TECHNICAL CORRECTION.

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

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

33-3717A. FEES AT STATE COLLEGES AND UNIVERSITIES. (1) Except as otherwise provided in this section, the state board of education and the board of regents of the university of Idaho may prescribe fees, including tuition fees, for resident and nonresident students enrolled in all state colleges and universities. For purposes of this section, said fees, including tuition fees, may be used for any and all educational costs at the state colleges and universities including, but not limited to, costs associated with:

(a) Academic services;
(b) Instruction;
(c) The construction, maintenance and operation of buildings and facilities;
(d) Student services; or
(e) Institutional support.

The state board of education also may prescribe fees for all students for any additional charges that are necessary for the proper operation of each institution.

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

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

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

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

(6) The state board of education shall promulgate rules that allow a student, prior to the start of each semester, to opt in or opt out of the payment of fees in support of services, groups, educational outreach, trainings, workshops, events, or programs, provided that such rules shall not al-
low a student to opt out of the payment of fees for services, groups, or programs including the general building fee, the capital expenditure reserve, student union building construction, facilities, a health and wellness center facility, information technology, intercollegiate athletics, a student health center, a career center, special services and facilities for individuals with disabilities, campus safety, and the required courses for the degree or certification a student is seeking.