

BILL ANALYSIS

Senate Research Center

S.B. 297
By: Van de Putte et al.
Higher Education
9/2/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, veterans who are not Texans but who want to attend a public college or university in Texas are required to pay out-of-state tuition and fees until they have lived in Texas for one year.

Non-Texas veterans who may be interested in settling in Texas may be hesitant to come to Texas because of the out-of-state tuition costs. With increased federal funding under the new G.I. Bill, allowing non-Texas veterans and their families to pay in-state tuition all but guarantees a full scholarship to public colleges and universities in Texas. This will draw more veterans to the state with the hope that the veterans and their families will remain in the state once their education is finished, and deliver real support to veterans while helping strengthen Texas' economy and attracting and keeping talent in the state. Expanding in-state tuition benefits to all military veterans is a fitting way to recognize those who have served, led, and protected our country.

S.B. 297 amends current law relating to resident tuition rates and fees at public institutions of higher education for certain veterans and servicemembers and their spouses and children.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 54.058, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.058, Education Code, by adding Subsections (k) and (l), as follows:

(k) Entitles a person to pay tuition and fees at an institution of higher education at the rates provided for Texas residents without regard to the length of time the person has resided in this state if the person files with the institution at which the person intends to register a letter of intent to establish residence in this state and resides in this state while enrolled in the institution and the person:

(1) is eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.) or any other federal law authorizing educational benefits for veterans;

(2) is the spouse of a person described by Subdivision (1); or

(3) is a child of a person described by Subdivision (1) who is 25 years of age or younger on the first day of the semester or other academic term for which the person is registering, except that the Texas Higher Education Coordinating Board (THECB) by rule is required to prescribe procedures by which a person who suffered from a severe illness or other debilitating condition that affected the person's ability to use the benefit provided by this subsection before reaching that age is authorized to be granted additional time to use the benefit corresponding to the time the person was unable to use the benefit because of the illness or condition.

(l) Defines "child."

SECTION 2. Amends Section 54.203, Education Code, by adding Subsection (b-2), as follows:

(b-2) Requires the governing board of an institution of higher education to exempt from the payment of resident tuition at the institution a dependent child, including a stepchild, of a member of the Armed Forces of the United States who is a resident of this state or is entitled to pay resident tuition under this subchapter, for any semester or other academic term during which the member of the armed forces is deployed on active duty for the purpose of engaging in a combative military operation outside the United States. Requires the legislature, in its appropriations to institutions of higher education, to provide sufficient funds to cover the full costs of the exemptions provided by this subsection.

SECTION 3. Provides that Section 54.058(k), Education Code, as added by this Act, applies beginning with tuition and other fees charged for the 2009 fall semester. Provides that the tuition and other fees charged for an academic period before that term or semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4. Provides that Section 54.203(b-2), Education Code, as added by this Act, applies beginning with tuition charged for the 2009 fall semester. Provides that tuition charged for an academic period before that semester is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 5. Requires THECB to adopt the rules required by Section 54.058(k)(3), Education Code, as added by this Act, as soon as practicable after this Act takes effect. Authorizes THECB, for that purpose, to adopt the initial rules in the manner provided by law for emergency rules.

SECTION 6. Effective date: upon passage or September 1, 2009.