

BILL ANALYSIS

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Higher Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Across the state there are several law enforcement agencies that are losing individuals due to retirement and fewer qualified persons are applying to serve. In the City of San Angelo, from 2003 to 2007, the number one reason peace officers left was retirement. In 2007, the city was 28 officers short of the 159 allowed by city ordinance. This reflects a serious problem occurring in small towns and larger cities.

In order to bring additional qualified individuals to the field, the bill requires the Texas Higher Education Coordinating Board (THECB) to establish and administer a program to provide assistance in the repayment of student loans for persons who are employed as peace officers by state agencies or political subdivisions of this state.

As proposed, S.B. 699 establishes a peace officer loan repayment assistance program through THECB to assist with recruiting more qualified individuals to work in law enforcement. The bill requires the person to have been employed full-time for at least one year and be currently employed full-time as a peace officer, as well as have completed at least 60 hours of course credit at a public, private, or independent institution of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Sections 61.9852 and 61.9858, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter II, as follows:

SUBCHAPTER II. PEACE OFFICER LOAN REPAYMENT ASSISTANCE PROGRAM

Sec. 61.9851. DEFINITION. Defines "peace officer."

Sec. 61.9852. REPAYMENT AUTHORIZED. Requires the Texas Higher Education Coordinating Board (THECB) to establish and administer a program to provide, in accordance with this subchapter and THECB rules, assistance in the repayment of student loans for persons who are employed as peace officers by state agencies or political subdivisions of this state and who apply and qualify for the assistance.

Sec. 61.9853. ELIGIBILITY. Requires a person, to be eligible to receive repayment assistance under this subchapter, to apply to THECB; to be a resident of this state; at the time of application for repayment assistance have been employed full-time for at least one year as, and be currently employed full-time as, a peace officer by a state agency or political subdivision of this state; have earned at least 60 hours of course credit at a public or private or independent institution of higher education in this state before becoming a peace officer; and comply with any additional requirement adopted by THECB rule.

Sec. 61.9854. LIMITATIONS. (a) Authorizes a person, on qualifying for repayment assistance under this subchapter, to receive repayment assistance for each year of employment as a peace officer, not to exceed five years.

(b) Prohibits the amount of repayment assistance that a person is authorized to receive for each year of employment as a peace officer from exceeding 20 percent of the peace officer's total amount of eligible loans as provided by Section 61.9855.

(c) Prohibits the total amount of repayment assistance provided under this subchapter to a person from exceeding \$20,000.

(d) Prohibits the total amount of repayment assistance provided under this subchapter from exceeding the total amount of gifts and grants accepted by THECB for the repayment assistance, legislative appropriations for the repayment assistance, and other funds available to THECB for the repayment assistance.

Sec. 61.9855. ELIGIBLE LOANS. (a) Authorizes THECB to provide repayment assistance for the repayment of any student loan received by an eligible person through any lender for the cost of attendance at a public or private or independent institution of higher education for a semester or other term that ended not earlier than 60 months before the date of the person initially becoming a peace officer.

(b) Authorizes THECB to withhold repayment assistance for a student loan that is in default at the time of the peace officer's application.

(c) Prohibits THECB from providing repayment assistance for the repayment of a loan for the cost of attendance for credit hours a person earns after becoming a peace officer.

Sec. 61.9856. REPAYMENT. (a) Requires THECB to deliver any repayment under this subchapter in a lump sum payable to the lender and the peace officer, in accordance with any applicable federal law.

(b) Authorizes a repayment under this subchapter to be applied to any amount due in connection with the loan.

Sec. 61.9857. ACCEPTANCE OF GIFTS. Authorizes THECB to solicit and accept gifts and grants from any source for the purposes of this subchapter.

Sec. 61.9858. RULES. (a) Requires the board to adopt rules as necessary to administer this subchapter.

(b) Requires THECB to distribute a copy of the rules adopted under this section and pertinent information regarding this subchapter to each public and private or independent institution of higher education in this state, any appropriate state agency, and any appropriate professional association.

SECTION 2. Requires THECB to adopt the rules for repayment assistance under Subchapter II, Chapter 61, Education Code, as added by this Act, not later than December 1, 2009.

SECTION 3. Effective date: upon passage or September 1, 2009.