

BILL ANALYSIS

Senate Research Center

H.B. 29
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Higher Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 29 requires general academic teaching institutions, other than public state colleges, to offer a four-year fixed tuition price plan as an option for undergraduate students.

Under the bill, the plan must provide that for the four academic years immediately following a student's initial enrollment the institution will not charge tuition in excess of the rate the student charged in the first academic year in which the student enrolled at the institution or the academic year immediately following the summer term in which the student enrolled.

H.B. 29 amends current law relating to requiring certain general academic teaching institutions to offer a four-year fixed tuition price plan to undergraduate students.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 54, Education Code, by adding Section 54.017, as follows:

Sec. 54.017. FOUR-YEAR FIXED TUITION PRICE PLAN FOR UNDERGRADUATE STUDENTS AT CERTAIN GENERAL ACADEMIC TEACHING INSTITUTIONS.

(a) Defines "coordinating board," "general academic teaching institution," and "plan" in this section.

(b) Provides that this section applies only to a general academic teaching institution other than a public state college.

(c) Requires the governing board of an institution to which this section applies, notwithstanding any other provision of this chapter (Tuition and Fees) and except as otherwise provided by this section, to offer each entering undergraduate student, including each undergraduate student who transfers to the institution regardless of the number of semester credit hours transferred by the student, the opportunity to participate in a four-year fixed tuition price plan.

(d) Requires an institution to which this section applies, unless the institution does not offer other tuition payment options, to require an entering undergraduate student to accept or reject participation in the plan before the date of the student's initial enrollment at the institution.

(e) Requires that a plan offered under this section provide that:

(1) the institution, during the four academic years immediately following the date of a student's initial enrollment at the institution, is prohibited from charging tuition to the student for a semester or other academic term

at a rate that exceeds the rate the institution would have charged the student for the same courses during:

(A) the first academic year in which the student enrolled at the institution, if the student initially enrolled for a fall or spring semester; or

(B) the academic year immediately following the summer term in which the student enrolled at the institution, if the student initially enrolled for a summer term; and

(2) the institution is prohibited, beginning with the fifth academic year following the date the student first enrolls at the institution, from charging tuition to the student for a semester or other academic term at a rate that exceeds the rate the institution would have charged the student under Subdivision (1) had the student initially enrolled in the institution one year after the student's actual initial enrollment.

(f) Provides that a fixed tuition price charged to a student by an institution under Subsection (e) does not apply to the student after the student has been awarded a baccalaureate degree by the institution.

(g) Requires each institution to which this section applies to notify each entering undergraduate student, including each undergraduate student who transfers to the institution, of the plan offered under this section. Requires that the notice:

(1) identify any difference between the tuition rate available to the student under the plan and the tuition rates, including estimations of future rates, that will otherwise be charged to the student by the institution if the student elects not to participate in the plan; and

(2) include an explanation of the reasons for that difference.

(h) Prohibits fees charged by an institution to a student participating in a plan under this section from exceeding the fees charged by the institution to a similarly situated student who elects not to participate in the plan, if the institution offers other tuition payment options. Provides that, for purposes of this subsection, students are similarly situated if they share the same residency status, degree program, course load, course level, and other circumstances affecting the fees charged to the students.

(i) Requires each institution to which this section applies to adopt any rules the institution considers appropriate for the administration of the institution's plan under this section.

(j) Provides that this section does not require an institution to which this section applies to offer a variable tuition price plan to undergraduate students enrolled in the institution.

(k) Provides that this section does not apply to the tuition charged by an institution to which this section applies to a student who enters the institution for the first time before the 2014 fall semester. Provides that this subsection expires January 1, 2020.

SECTION 2. Effective date: upon passage or September 1, 2013.