

By: Pacheco

H.B. No. 546

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the application of certain occupation-related  
3 postsecondary educational financial aid and student loan repayment  
4 programs.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 61.605(a), Education Code, is amended to  
7 read as follows:

8 (a) The board may provide repayment assistance under this  
9 subchapter for the repayment of any student loan, including a loan  
10 for undergraduate education, received by an eligible person through  
11 any lender for education at:

12 (1) an institution of higher education;

13 (2) [~~7~~] a private or independent institution of higher  
14 education;

15 (3) [~~7~~ or] a public or private out-of-state  
16 institution of higher education accredited by a recognized  
17 accrediting agency; or

18 (4) a nonprofit, tax-exempt, regionally accredited  
19 college or university operating in accordance with a memorandum of  
20 understanding with this state under an executive order issued by  
21 the governor [~~7, including loans for undergraduate education,~~  
22 ~~received by an eligible person through any lender~~].

23 SECTION 2. Section 61.608(b), Education Code, is amended to  
24 read as follows:

1 (b) The board shall distribute to each institution of higher  
2 education or private or independent institution of higher  
3 education, each college or university described by Section  
4 61.605(a)(4), and ~~to~~ any appropriate state agency and  
5 professional association copies of the rules adopted under this  
6 section and other pertinent information relating to this  
7 subchapter.

8 SECTION 3. Section 61.9621, Education Code, is amended to  
9 read as follows:

10 Sec. 61.9621. DEFINITION. In this subchapter,  
11 "professional nursing program" means an educational program  
12 preparing students for initial licensure as registered nurses  
13 offered by:

14 (1) a public or private institution of higher  
15 education; or

16 (2) a nonprofit, tax-exempt, regionally accredited  
17 college or university operating in accordance with a memorandum of  
18 understanding with this state under an executive order issued by  
19 the governor ~~[for preparing students for initial licensure as~~  
20 ~~registered nurses]~~.

21 SECTION 4. Section 61.96232(a), Education Code, is amended  
22 to read as follows:

23 (a) The board by rule shall establish a process under which  
24 a public or private institution of higher education or an  
25 institution described by Section 61.9621(2) that offers a  
26 professional nursing program may apply for a grant under this  
27 subchapter and the commissioner of higher education, contingent on

1 appropriations of money for the grants, selects one or more  
2 applicants to receive a grant based on criteria established by  
3 board rule. The criteria must include the institution's agreement  
4 that the institution's professional nursing program will enroll  
5 additional students or graduate additional students prepared for  
6 initial licensure as registered nurses.

7 SECTION 5. Section 61.9751(2), Education Code, is amended  
8 to read as follows:

9 (2) "Nursing education program" means:

10 (A) an undergraduate professional nursing  
11 program or a graduate professional nursing program as those terms  
12 are defined by Section 54.355; and

13 (B) a comparable nursing program offered by a  
14 nonprofit, tax-exempt, regionally accredited college or university  
15 operating in accordance with a memorandum of understanding with  
16 this state under an executive order issued by the governor.

17 SECTION 6. Section 61.9821, Education Code, is amended to  
18 read as follows:

19 Sec. 61.9821. REPAYMENT AUTHORIZED. The board shall  
20 establish and administer a program to provide, in accordance with  
21 this subchapter and board rules, assistance in the repayment of  
22 student loans for nurses who:

23 (1) are serving on the faculties of nursing degree  
24 programs at institutions to which this subchapter applies [~~of~~  
25 ~~higher education or private or independent institutions of higher~~  
26 ~~education~~] in positions that require an advanced degree in  
27 professional nursing; and

1 (2) apply and qualify for the assistance.

2 SECTION 7. Subchapter JJ, Chapter 61, Education Code, is  
3 amended by adding Section 61.98211 to read as follows:

4 Sec. 61.98211. APPLICABILITY OF SUBCHAPTER. This  
5 subchapter applies to:

6 (1) an institution of higher education;

7 (2) a private or independent institution of higher  
8 education; and

9 (3) a nonprofit, tax-exempt, regionally accredited  
10 college or university operating in accordance with a memorandum of  
11 understanding with this state under an executive order issued by  
12 the governor.

13 SECTION 8. Section 61.9822, Education Code, is amended to  
14 read as follows:

15 Sec. 61.9822. ELIGIBILITY. To be eligible to receive loan  
16 repayment assistance under this subchapter, a nurse must:

17 (1) apply to the board;

18 (2) at the time of application for repayment  
19 assistance have been employed full-time for at least one year as,  
20 and be currently employed full-time as, a faculty member of a  
21 nursing degree program at an institution to which this subchapter  
22 applies [~~of higher education or a private or independent~~  
23 ~~institution of higher education~~]; and

24 (3) comply with any additional requirements adopted by  
25 board rule.

26 SECTION 9. Section 61.9823(a), Education Code, is amended  
27 to read as follows:

1 (a) On qualifying for loan repayment assistance under this  
2 subchapter, a nurse may receive repayment assistance for each year  
3 of full-time employment as a faculty member of a nursing degree  
4 program at an institution to which this subchapter applies [~~of~~  
5 ~~higher education or private or independent institution of higher~~  
6 ~~education~~], not to exceed five years.

7 SECTION 10. Section 61.9824(a), Education Code, is amended  
8 to read as follows:

9 (a) The board may provide repayment assistance for the  
10 repayment of any student loan received by an eligible person  
11 through any lender that is for education, including undergraduate  
12 education, at:

13 (1) a public or private institution of higher  
14 education; or

15 (2) a nonprofit, tax-exempt, regionally accredited  
16 college or university operating in accordance with a memorandum of  
17 understanding with this state under an executive order issued by  
18 the governor [~~any public or private institution of higher~~  
19 ~~education, including a loan for undergraduate education, received~~  
20 ~~by an eligible person through any lender~~].

21 SECTION 11. Section 61.9828(b), Education Code, is amended  
22 to read as follows:

23 (b) The board shall distribute a copy of the rules adopted  
24 under this section and pertinent information regarding this  
25 subchapter to:

26 (1) each institution to which this subchapter applies  
27 [~~of higher education and private or independent institution of~~

1 ~~higher education~~];

2 (2) any appropriate state agency; and

3 (3) any appropriate professional association.

4 SECTION 12. As soon as practicable after the effective date  
5 of this Act, the Texas Higher Education Coordinating Board shall  
6 adopt any rules necessary to administer the changes in law made by  
7 this Act.

8 SECTION 13. The Texas Higher Education Coordinating Board  
9 may not award grants under the professional nursing shortage  
10 reduction program as provided by the changes in law made by this Act  
11 to Sections [61.9621](#) and [61.96232](#), Education Code, before June 1,  
12 2023.

13 SECTION 14. This Act takes effect immediately if it  
14 receives a vote of two-thirds of all the members elected to each  
15 house, as provided by Section [39](#), Article III, Texas Constitution.  
16 If this Act does not receive the vote necessary for immediate  
17 effect, this Act takes effect September 1, 2021.