

By: Cook, Garcia, Walle

H.B. No. 4251

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring prior approval by the Texas Higher Education
3 Coordinating Board to offer a degree or certificate program to
4 certain persons who are incarcerated or subject to involuntary
5 civil commitment.

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

7 SECTION 1. Subchapter C, Chapter 61, Education Code, is
8 amended by adding Section 61.05123 to read as follows:

9 Sec. 61.05123. BOARD APPROVAL REQUIRED FOR ACADEMIC
10 PROGRAMS OFFERED TO CERTAIN STUDENTS WHO ARE INCARCERATED OR
11 SUBJECT TO INVOLUNTARY CIVIL COMMITMENT. (a) In this section,
12 "penal institution" has the meaning assigned by Article 62.001,
13 Code of Criminal Procedure.

14 (b) An entity that seeks to offer a degree or certificate
15 program to a person confined in a penal institution or required to
16 reside in a facility operated by or under contract with the Texas
17 Civil Commitment Office under Chapter 841, Health and Safety Code,
18 must obtain the board's prior approval to offer the program if
19 enrollment in the program would make the person eligible to receive
20 a grant under the federal Pell Grant program.

21 (c) The board may adopt rules necessary to implement this
22 section.

23 SECTION 2. Section 61.05123, Education Code, as added by
24 this Act, applies beginning with degree and certificate programs

1 offered for the 2023-2024 academic year.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2023.