

By: Raney, González of El Paso

H.B. No. 5146

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of the Building Better Futures  
3 Program to support educational and occupational skills training  
4 opportunities and support services for students with intellectual  
5 and developmental disabilities.

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

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

9 SUBCHAPTER J-1. BUILDING BETTER FUTURES PROGRAM

10 Sec. 61.551. PROGRAM PURPOSE. The purpose of the Building  
11 Better Futures Program is to facilitate the delivery by  
12 institutions of higher education and private or independent  
13 institutions of higher education of educational and occupational  
14 skills training opportunities and support services to students with  
15 intellectual and developmental disabilities in an inclusive and  
16 age-appropriate environment.

17 Sec. 61.552. ADMINISTRATION; RULES. (a) The board shall  
18 administer the Building Better Futures Program and adopt any rules  
19 necessary to implement the program or this subchapter.

20 (b) The board may develop a competitive application process  
21 for the award of funds to eligible institutions under the program.

22 (c) A program or course offered under the Building Better  
23 Futures Program is exempt from the requirements of Sections 61.0512  
24 and 61.822.

1       Sec. 61.553. INSTITUTION ELIGIBILITY. (a) To be eligible  
2 to participate in the Building Better Futures Program, an  
3 institution of higher education or private or independent  
4 institution of higher education:

5           (1) must:

6               (A) be approved by or awaiting approval from the  
7 United States Department of Education to offer a comprehensive  
8 transition and postsecondary program for students with  
9 intellectual or developmental disabilities;

10              (B) develop and implement a selective admissions  
11 process to select eligible students under Section 61.554 for  
12 admission to the institution's comprehensive transition and  
13 postsecondary program; and

14              (C) award a certificate to each student who  
15 successfully completes the Building Better Futures Program at the  
16 institution; and

17           (2) may not allow credit hours completed under the  
18 Building Better Futures Program to be transferred toward an  
19 associate or baccalaureate degree program.

20           (b) The board shall establish criteria to ensure that each  
21 eligible institution that has requested but not yet received  
22 approval from the United States Department of Education for the  
23 institution's comprehensive transition and postsecondary program  
24 obtains that approval not later than the third anniversary of the  
25 date the institution is initially selected by the board for  
26 participation in the Building Better Futures Program.

27       Sec. 61.554. STUDENT ELIGIBILITY. (a) To be eligible to

1 participate in the Building Better Futures Program, an applicant  
2 must:

3 (1) apply for admission to a comprehensive transition  
4 and postsecondary program, or a program that is awaiting approval  
5 from the United States Department of Education as a comprehensive  
6 transition and postsecondary program, at an eligible institution;

7 (2) be a citizen or a lawful permanent resident of the  
8 United States;

9 (3) be a resident of this state under Section 54.052,  
10 except as provided by Subsection (d) of this section;

11 (4) have an intellectual or developmental disability  
12 diagnosed by a physician, psychologist, or other individual  
13 qualified by license or statute to make such a diagnosis;

14 (5) be able and willing to learn and participate in an  
15 inclusive classroom and work setting; and

16 (6) not be a danger to the applicant's self or others,  
17 as determined by the accepting institution.

18 (b) An applicant who is a lawful permanent resident of the  
19 United States must submit with the applicant's application a copy  
20 of the applicant's lawful permanent resident form.

21 (c) An eligible institution may require an applicant or the  
22 applicant's parent or guardian to provide proof of residency as  
23 evidenced by one of the following:

24 (1) information from the Free Application for Federal  
25 Student Aid;

26 (2) a driver's license issued by the Department of  
27 Public Safety that has not expired;

1           (3) documentation of payment for personal or real  
2 property taxes for the previous year;

3           (4) vehicle registration issued by the Texas  
4 Department of Motor Vehicles that has not expired;

5           (5) a voter registration certificate issued in this  
6 state that has not expired; or

7           (6) documentation under Section 54.053.

8           (d) An applicant who is not a resident of this state may be  
9 eligible to participate in the Building Better Futures Program at  
10 an eligible institution only if an opening is available after all  
11 resident applicants are admitted.

12           Sec. 61.555. AWARD OF FUNDS. The board may award funds  
13 under the Building Better Futures Program only to eligible  
14 institutions to be used by the institutions to facilitate the  
15 delivery of educational and occupational skills training  
16 opportunities and support services to students participating in the  
17 program.

18           Sec. 61.556. FUNDING. The board may use any available  
19 revenue, including legislative appropriations, and may solicit and  
20 accept gifts, grants, and donations from a public or private source  
21 for the purposes of this subchapter.

22           SECTION 2. The Texas Higher Education Coordinating Board  
23 shall adopt rules to administer Subchapter J-1, Chapter 61,  
24 Education Code, as added by this Act, as soon as practicable after  
25 the effective date of this Act.

26           SECTION 3. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

H.B. No. 5146

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2023.