

By: Zaffirini

S.B. No. 35

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Promise Grant Program for certain students at two-year public institutions of higher education.

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

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. TEXAS PROMISE GRANT PROGRAM

Sec. 56.601. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Eligible institution" means:

(A) a public junior college;

(B) a public technical institute; or

(C) a public state college.

(3) "Program" means the Texas Promise Grant Program established under this subchapter.

(4) "Public junior college," "public technical institute," and "public state college" have the meanings assigned by Section 61.003.

Sec. 56.602. PROGRAM PURPOSE. The purpose of the Texas Promise Grant Program is to provide assistance in the payment of tuition and mandatory fees to enable eligible students to attend two-year institutions of higher education.

1 Sec. 56.603. ADMINISTRATION OF PROGRAM; AWARD OF GRANT.

2 (a) The coordinating board shall administer the program and adopt
3 any rules necessary to implement the program or this subchapter.
4 The coordinating board shall consult with the student financial aid
5 officers of eligible institutions in developing the rules.

6 (b) The coordinating board shall award a grant to each
7 eligible student under the program.

8 Sec. 56.604. INITIAL ELIGIBILITY FOR GRANT. (a) To be
9 eligible initially for a grant under the program, a person must:

10 (1) be a resident of this state as determined by
11 coordinating board rules;

12 (2) have graduated from high school or received a high
13 school equivalency certificate within the last three years;

14 (3) be enrolled in an associate degree or certificate
15 program at an eligible institution;

16 (4) be enrolled as an entering student for at least
17 one-half of a full course load for an entering student in the
18 associate degree or certificate program, as determined by the
19 coordinating board;

20 (5) have applied for any available financial aid or
21 assistance; and

22 (6) comply with any additional nonacademic or
23 nonfinancial requirement adopted by the coordinating board under
24 this subchapter.

25 (b) A person is not eligible to receive a grant under the
26 program if the person has been convicted of a felony or an offense
27 under Chapter 481, Health and Safety Code (Texas Controlled

1 Substances Act), or under the law of another jurisdiction involving
2 a controlled substance as defined by Chapter 481, Health and Safety
3 Code, unless the person has met the other applicable eligibility
4 requirements under the program and has:

5 (1) received a certificate of discharge by the Texas
6 Department of Criminal Justice or a correctional facility or
7 completed a period of probation ordered by a court, and at least two
8 years have elapsed from the date of the receipt or completion; or

9 (2) been pardoned, had the record of the offense
10 expunged from the person's record, or otherwise been released from
11 the resulting ineligibility to receive a grant under the program.

12 (c) A person is not eligible to receive a grant under the
13 program if the person has:

14 (1) been granted:

15 (A) a certificate for completion of a certificate
16 program; or

17 (B) an associate or baccalaureate degree; or

18 (2) completed more than 90 semester credit hours or
19 the equivalent at an institution of higher education, excluding
20 semester credit hours or the equivalent earned for a dual credit
21 course.

22 (d) A person may not receive a grant under the program for
23 more than 75 semester credit hours or the equivalent.

24 (e) A person's eligibility for a grant under the program
25 ends on the third anniversary of the initial award of a grant under
26 the program to the person and the person's enrollment in an eligible
27 institution.

1 Sec. 56.605. CONTINUING ELIGIBILITY AND ACADEMIC
2 PERFORMANCE REQUIREMENTS. (a) After initially qualifying for a
3 grant under the program, a person may continue to receive a grant
4 under the program during each semester or term in which the person
5 is enrolled at an eligible institution only if the person:

6 (1) is enrolled in an associate degree or certificate
7 program at an eligible institution;

8 (2) is enrolled for at least one-half of a full course
9 load for a student in an associate degree or certificate program, as
10 determined by the coordinating board;

11 (3) makes satisfactory academic progress toward an
12 associate degree or certificate; and

13 (4) complies with any additional nonacademic or
14 nonfinancial requirement adopted by the coordinating board.

15 (b) A person is not eligible to continue to receive a grant
16 under this section if the person has been convicted of a felony or
17 an offense under Chapter 481, Health and Safety Code (Texas
18 Controlled Substances Act), or under the law of another
19 jurisdiction involving a controlled substance as defined by Chapter
20 481, Health and Safety Code, unless the person has met the other
21 applicable eligibility requirements under this subchapter and has:

22 (1) received a certificate of discharge by the Texas
23 Department of Criminal Justice or a correctional facility or
24 completed a period of probation ordered by a court, and at least two
25 years have elapsed from the date of the receipt or completion; or

26 (2) been pardoned, had the record of the offense
27 expunged from the person's record, or otherwise been released from

1 the resulting ineligibility to receive a grant under the program.

2 (c) If a person fails to meet any of the requirements of
3 Subsection (a) after the completion of any semester or term, the
4 person may not receive a grant under the program during the next
5 semester or term in which the person enrolls. A person may become
6 eligible to receive a grant under the program in a subsequent
7 semester or term if the person:

8 (1) completes a semester or term during which the
9 student is not eligible for a grant; and

10 (2) meets all the requirements of Subsection (a).

11 (d) For the purpose of this section, a person makes
12 satisfactory academic progress toward an associate degree or
13 certificate only if:

14 (1) in the person's first academic year, the person
15 meets the satisfactory academic progress requirements of the
16 institution at which the person is enrolled; and

17 (2) in the subsequent academic year, the person:

18 (A) completes at least 75 percent of the semester
19 credit hours or the equivalent attempted in the person's most
20 recent academic year; and

21 (B) has earned an overall grade point average of
22 at least 2.5 on a four-point scale or the equivalent on coursework
23 previously attempted at institutions of higher education.

24 (e) A person who is eligible to receive a grant under the
25 program continues to remain eligible to receive the grant if the
26 person enrolls in or transfers to another eligible institution.

27 (f) The coordinating board shall adopt rules to allow a

1 person who is otherwise eligible to receive a grant under the
2 program, in the event of a hardship or for other good cause shown,
3 including a showing of a severe illness or other debilitating
4 condition that may affect the person's academic performance or a
5 showing that the person is responsible for the care of a sick,
6 injured, or needy person and that the person's provision of care may
7 affect the person's academic performance, to receive a grant under
8 the program:

9 (1) while enrolled in a number of semester credit
10 hours that is less than the number of semester credit hours or the
11 equivalent required under Subsection (a)(2); or

12 (2) if the student's grade point average or completion
13 rate falls below the satisfactory academic progress requirements of
14 Subsection (d).

15 Sec. 56.606. GRANT USE. A grant awarded under the program
16 must be applied first to the payment of tuition and mandatory fees
17 at an eligible institution.

18 Sec. 56.607. GRANT AMOUNT. (a) The amount of a grant
19 awarded to an eligible student under the program for a semester or
20 other academic term in which the student is enrolled at an eligible
21 institution is an amount not to exceed the greater of:

22 (1) the difference between the amount of tuition and
23 mandatory fees charged to the student by the institution for that
24 semester or term and the amount of any other gift aid, including
25 state or federal grants or scholarships, awarded to the student for
26 that semester or term; or

27 (2) \$1,000.

1 (b) The coordinating board may adopt rules that allow the
2 coordinating board to decrease, in proportion to the number of
3 semester credit hours or the equivalent in which a student is
4 enrolled, the amount of a grant award under Subsection (a)(2) to a
5 student who is enrolled in less than a full course load for a
6 student in an associate degree or certificate program, as
7 determined by the coordinating board.

8 (c) A grant may not be awarded under the program to an
9 eligible student for a semester or other academic term until any
10 other gift aid for which the student is eligible has been awarded to
11 the student and the amount of tuition and mandatory fees owed by the
12 student has been established for purposes of determining the
13 appropriate amount of the student's grant under Subsection (a).

14 (d) The coordinating board shall issue to each eligible
15 student a certificate indicating the amount of the grant awarded to
16 the student.

17 Sec. 56.608. NOTIFICATION OF PROGRAM; RESPONSIBILITIES OF
18 SCHOOL DISTRICTS. (a) The coordinating board, in consultation
19 with all eligible institutions, shall prepare materials designed to
20 inform prospective students, their parents, and high school
21 counselors about the program and eligibility for a grant under the
22 program. The coordinating board shall distribute to each eligible
23 institution and to each school district a copy of the materials
24 prepared under this section.

25 (b) Each school district shall notify its high school
26 students, those students' teachers and school counselors, and those
27 students' parents or guardians of the program and the eligibility

1 requirements of the program.

2 SECTION 2. (a) The Texas Higher Education Coordinating
3 Board shall adopt rules to administer Subchapter U, Chapter 56,
4 Education Code, as added by this Act, as soon as practicable after
5 the effective date of this Act. For that purpose, the coordinating
6 board may adopt the initial rules in the manner provided by law for
7 emergency rules.

8 (b) The Texas Higher Education Coordinating Board shall
9 begin awarding grants under Subchapter U, Chapter 56, Education
10 Code, as added by this Act, for the first academic year for which
11 money is appropriated for that purpose, except that the
12 coordinating board may not award grants under that subchapter for
13 an academic year before the 2024-2025 academic year.

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