

BILL ANALYSIS

H.B. 261

Hupp

Defense Affairs & State-Federal Relations

Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, dependents of military servicemen/women that are stationed in Texas are afforded the ability to pay in-state tuition at Texas universities as long as they reside continuously in Texas. Due to different interpretations of the Education Code, however, in certain circumstances Texas universities have denied in-state tuition to children and spouses if the military member is transferred out of state or leaves the military. HB261 would clarify statute to ensure that dependents and spouses of military personnel are eligible to continue paying in-state tuition and fees even if the military personnel moves out-of-state or terminates service in the armed forces.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Clarifies that a dependent, spouse, or member of the U.S. armed forces who are already entitled to pay in-state tuition and fees may continue to pay in-state tuition and fees while continuously enrolled in a degree or certificate program. Additionally, the spouse or child's eligibility to pay the Texas resident tuition and fees rate does not terminate in the event that the military personnel is no longer a member of the U.S. armed forces.

SECTION 2. This Act applies beginning with the 2003 fall semester to a child, spouse, or member of the U.S. armed forces entitled to pay tuition and fees at the Texas residents rate, while enrolled in a degree or certificate program at a public institution or higher education Texas in the 2003 spring or summer session.

SECTION 3. Effective Date - September 1, 2003, unless the Act receives the necessary votes for immediate effect.