

BILL ANALYSIS

Senate Research Center

H.B. 3209
By: Heflin (Ratliff)
Education
5/24/2003
Committee Report (Amended)

DIGEST AND PURPOSE

The 76th Legislature created the Toward Excellence, Access and Success (TEXAS) Grant program to encourage high school students to take college preparatory courses and to give qualifying students in Texas the opportunity to obtain a higher education. Some students attending private colleges and universities also receive Tuition Equalization Grants (TEG) to help them pay the higher tuition prices of private university tuition. Currently, a student attending a private university who qualifies for both a TEG and TEXAS Grant is allowed to receive only a portion of the TEG for which that student is eligible. H.B. 3209 authorizes a qualifying student to receive both a TEXAS Grant and a TEG in an academic year not to exceed tuition and fees charged to the student.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 56.307(h), Education Code, to prohibit the total amount of grants that a student may receive an academic year under this subchapter and under Section 61.221 from exceeding the total amount of tuition and required fees charged to the student for the academic periods for which one or more the grants were awarded. Deletes text prohibiting the total amount of grants from exceeding the maximum amount authorized under Section 61.227.

SECTION 2. Provides that the change in law made by this Act applies beginning with the 2003-2004 academic year.

SECTION 3. Effective date: upon passage or September 1, 2003.

LIST OF COMMITTEE AMENDMENTS

Committee Amendment No. 1:

Amend House Bill 3209 by inserting the following SECTION 2, SECTION 3, and SECTION 4, renumbering subsequent SECTIONS accordingly:

SECTION 2. Section 56.304(a)(5), Education Code, is amended to read as follows:

(A) an entering undergraduate student for [~~at least three-fourths of~~] a full course load for an entering undergraduate student, as determined by the coordinating board, not later than the 16th month after the date of the person's graduation from high school; or

(B) an entering student for [~~at least three-fourths of~~] a full course load for an undergraduate student as determined by the coordinating board, not later than the 12th month after the month the person receives an associate degree from an eligible institution;

SECTION 3. Section 56.305(a)(3), Education Code, is amended to read as follows:

(3) is enrolled for [~~at least three-fourths~~] a full course load for an undergraduate student, as

determined by the coordinating board;

SECTION 4. Section 56.304(f), Education Code, is amended to read as follows:

(f) A person's eligibility for a TEXAS Grant ends on the ~~[sixth]~~ fifth anniversary of the initial award of a TEXAS grant to the person and the person's enrollment in an eligible institution, unless the person is provided additional time during which the person may receive a TEXAS grant under this subsection. The coordinating board shall adopt rules to provide a person who is otherwise eligible to receive a TEXAS grant in the event of a hardship or other good cause shown that prevents the person from continuing the person's enrollment during the period the person would otherwise have been eligible to receive a TEXAS grant, including a showing of severe illness or other debilitating condition or that the person is or was responsible for the care of a sick, injured, or needy person. This section applies to a new TEXAS grant recipients [sic] beginning on or after the 2003 fall semester.

Committee Amendment No. 2:

Amend HB 3209 by adding Sec. 56.3041 to read as follows and renumber accordingly:

SECTION 1. Subchapter M, Chapter 56, Education Code, as added by Chapter 1590, Acts of the 76th Legislature, Regular Session, 1999, is amended by adding Section 56.3041 to read as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON ON TRACK TO COMPLETE RECOMMENDED OR ADVANCED CURRICULUM. (a) If at the time an eligible institution awards TEXAS grants to initial recipients for an academic year an applicant has not completed high school or the applicant's final high school transcript is not yet available to the institution, the student is considered to have satisfied the requirements of Section 56.304(a)(2)(A) if the student's available high school transcript indicates that at the time the transcript was prepared the student was on schedule to graduate from high school and to complete the recommended or advanced high school curriculum or its equivalent, as applicable to the student, in time to be eligible for a TEXAS grant for the academic year.

(b) The coordinating board or the eligible institution may require the student to forgo or repay the amount of an initial TEXAS grant awarded to the student as described by Subsection (a) if the student fails to complete the recommended or advanced high school curriculum or its equivalent after the issuance of the available high school transcript.

(c) A person who is required to forgo or repay the amount of an initial TEXAS grant under Subsection (b) may become eligible to receive an initial TEXAS grant under Section 56.304 by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) and the other applicable requirements of that section at the time the person reapplies for the grant.

(d) A person who receives an initial TEXAS grant under Subsection (a) and is not required to forgo or repay the amount of the grant under Subsection (b) may become eligible to receive a subsequent TEXAS grant under Section 56.305 only by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) in addition to the requirements of Section 56.305 at the time the person applies for the subsequent grant.

SECTION 2. Subsection (g), Section 56.305, Education Code, as added by Chapter 1590, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(g) The coordinating board shall adopt rules to allow a person who is otherwise eligible to receive a TEXAS grant, in the event of a hardship or for other good cause shown, including a showing of a severe illness or other debilitating condition that may affect the person's academic performance or that the person is responsible for the care of a sick, injured, or needy person and that the person's provision of care may affect the person's academic performance, to receive a TEXAS grant:

(1) while enrolled in a number of semester credit hours that is less than the number of semester credit hours required under Subsection (a)(3); or

(2) if the student's grade point average or completion rate falls below the satisfactory academic progress requirements of Subsection (e). [~~The coordinating board may not allow a person to receive a TEXAS grant while enrolled in fewer than six semester credit hours.~~]

SECTION 3. Subsection (f), Section 56.307, Education Code, as added by Chapter 1590, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(f) The amount of a TEXAS grant may not be reduced by any gift aid for which the person

receiving the grant is eligible, unless the total amount of a person's grant plus any gift aid received exceeds the student's financial need [~~total cost of attendance at an eligible institution~~].

SECTION 4. The change in law made by this Act relating to the eligibility of a person to receive a TEXAS grant applies beginning with students who demonstrate eligibility to receive a grant for the 2003-2004 academic year, to the extent TEXAS grants are awarded for that academic year after the effective date of this Act.

SECTION 5. Section 56.3041 takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.