

BILL ANALYSIS

S.B. 1876
By: Ratliff
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Department of Transportation's (TxDOT) conditional grant program is open to female and minority students attending a Texas public institution of higher education with the intention of working as civil engineers for TxDOT for two years after obtaining a degree. Because the program is race and gender-based, it is believed to be vulnerable to legal challenge. As proposed, S.B. 1876 establishes eligibility for the program based on "economic disadvantage" and deletes statutory references to women and minority applicants.

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. Amends Section 56.141(4), Education Code, to redefine "eligible profession" as the profession of engineering or another profession as defined by Texas Department of Transportation (TxDOT) rule for which TxDOT determines there is a need in TxDOT's workforce. Deletes "as having a significant statistical underrepresentation of minorities or women" from the definition.

SECTION 2. Amends Section 56.142(a), Education Code, to make a conforming change.

SECTION 3. Amends Section 56.143, Education Code, to amend the requirements for a student's eligibility for a conditional grant by replacing the terms "minority" and "woman" with "economically disadvantaged" and adds subsection (b) providing that highest priority shall be given to students who demonstrate greatest financial need and who would be the first generation of the applicant's family to attend or graduate from college of a graduate or professional program.

SECTION 4. Amends Section 56.147, Education Code, by reenacting and amending Subsection (b), as amended by Chapters 151 and 165, Acts of the 74th legislature, Regular Session, 1995, and by adding Subsection (c), as follows:

(b) Requires TxDOT to issue not less than \$400,000 annually in conditional grants under this subchapter from money available to fund the conditional grant program.

(c) Authorizes TxDOT to provide outreach programs to recruit students into the conditional grant program.

SECTION 5. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.

EFFECTIVE DATE

(a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act does not affect the eligibility of a person awarded a grant under Subchapter I, Chapter 56, Education Code, before the effective date of this Act to receive the grant or to participate in the conditional grant program under Subchapter I, Chapter 56, Education Code, as that subchapter existed when the person was awarded the grant, and the former law is continued in effect for that person.