

AN ACT

relating to the eligibility of armed forces personnel and their family members to pay tuition and fees at the rate provided to Texas residents.

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

SECTION 1. Section 54.058, Education Code, is amended by amending Subsections (c), (f), and (g) and adding Subsection (j) to read as follows:

(c) The ~~[As long as they reside continuously in Texas, the]~~ spouse or child ~~[and children]~~ of a member of the Armed Forces of the United States who has been assigned to duty elsewhere immediately following assignment to duty in Texas is ~~[are]~~ entitled to pay the tuition fees and other fees or charges provided for Texas residents as long as the spouse or child resides continuously in Texas.

(f) The spouse or child ~~[and children]~~ of a member of the Armed Forces of the United States who dies or is killed is ~~[are]~~ entitled to pay the resident tuition fee if the spouse or child becomes a resident ~~[wife and children become residents]~~ of Texas within 60 days of the date of death.

(g) If a member of the Armed Forces of the United States is stationed outside Texas and the member's ~~[his]~~ spouse or child establishes ~~[and children establish]~~ residence in Texas by residing in Texas and by filing with the Texas institution of higher

1 education at which the spouse or child plans [~~they plan~~] to register  
2 a letter of intent to establish residence in Texas, the institution  
3 of higher education shall permit the spouse or child [~~and children~~]  
4 to pay the tuition, fees, and other charges provided for Texas  
5 residents without regard to length of time that the spouse or child  
6 has [~~they have~~] resided in Texas [~~the state~~].

7       (j) A member of the Armed Forces of the United States or the  
8 child or spouse of a member of the Armed Forces of the United States  
9 who is entitled to pay tuition and fees at the rate provided for  
10 Texas residents under another provision of this section while  
11 enrolled in a degree or certificate program is entitled to pay  
12 tuition and fees at the rate provided for Texas residents in any  
13 subsequent term or semester while the person is continuously  
14 enrolled in the same degree or certificate program. For purposes of  
15 this subsection, a person is not required to enroll in a summer term  
16 to remain continuously enrolled in a degree or certificate program.  
17 The person's eligibility to pay tuition and fees at the rate  
18 provided for Texas residents under this subsection does not  
19 terminate because the person is no longer a member of the Armed  
20 Forces of the United States or the child or spouse of a member of the  
21 Armed Forces of the United States.

22       SECTION 2. (a) Section 54.058(j), as added by this Act,  
23 applies beginning with the 2003 fall semester to a person who was a  
24 member of the Armed Forces of the United States or the child or  
25 spouse of a member of the Armed Forces of the United States entitled  
26 to pay tuition and fees at the rate provided for Texas residents  
27 under Section 54.058, Education Code, while enrolled in a degree or

1 certificate program at a public institution of higher education in  
2 this state in the 2003 spring semester or in any term of the 2003  
3 summer session.

4 (b) The changes in law made by this Act to Subsections (c),  
5 (f), and (g), Section 54.058, Education Code, apply beginning with  
6 tuition charged for the 2003 fall semester.

7 SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2003.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 261 was passed by the House on April 24, 2003, by the following vote: Yeas 143, Nays 0, 2 present not voting; and that the House concurred in Senate amendments to H.B. No. 261 on May 23, 2003, by the following vote: Yeas 135, Nays 0, 2 present not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 261 was passed by the Senate, with amendments, on May 21, 2003, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor