

By: Morrison

H.B. No. 2860

A BILL TO BE ENTITLED

AN ACT

1
2 relating to higher education assistance for the spouses and
3 dependents of certain persons killed during the campaign against
4 terrorism, including homeland defense.

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

6 SECTION 1. Section 54.203, Education Code, is amended by
7 amending Subsections (a) and (g) and by adding Subsection (b-1) to
8 read as follows:

9 (a) The governing board of each institution of higher
10 education shall exempt the following persons from the payment of
11 all dues, fees, and charges, including fees for correspondence
12 courses but excluding property deposit fees, student services fees,
13 and any fees or charges for lodging, board, or clothing, provided
14 the persons seeking the exemptions were citizens of Texas at the
15 time they entered the services indicated and have resided in Texas
16 for at least the period of 12 months before the date of
17 registration:

18 (1) all nurses and honorably discharged members of the
19 armed forces of the United States who served during the
20 Spanish-American War or during World War I;

21 (2) all nurses, members of the Women's Army Auxiliary
22 Corps, members of the Women's Auxiliary Volunteer Emergency
23 Service, and all honorably discharged members of the armed forces
24 of the United States who served during World War II except those who

1 were discharged from service because they were over the age of 38 or
2 because of a personal request on the part of the person that he be
3 discharged from service;

4 (3) all honorably discharged men and women of the
5 armed forces of the United States who served during the national
6 emergency which began on June 27, 1950, and which is referred to as
7 the Korean War; and

8 (4) all persons who were honorably discharged from the
9 armed forces of the United States after serving on active military
10 duty, excluding training, for more than 180 days and who served a
11 portion of their active duty during:

12 (A) the Cold War which began on the date of the
13 termination of the national emergency cited in Subdivision (3) of
14 this subsection;

15 (B) the Vietnam era which began on December 21,
16 1961, and ended on May 7, 1975;

17 (C) the Grenada and Lebanon era which began on
18 August 24, 1982, and ended on July 31, 1984;

19 (D) the Panama era which began on December 20,
20 1989, and ended on January 21, 1990;

21 (E) the Persian Gulf War which began on August 2,
22 1990, and ends on the date thereafter prescribed by Presidential
23 proclamation or September 1, 1997, whichever occurs first; [~~or~~]

24 (F) Operation Enduring Freedom, Operation Noble
25 Eagle, or the national emergency that on September 14, 2001, the
26 President proclaimed as having begun on September 11, 2001; or

27 (G) [~~(F)~~] any future national emergency declared

1 in accordance with federal law.

2 (b-1) The exemption provided for in Subsection (a)(4)(F)
3 also applies and inures to the benefit of the spouse of a member of
4 the armed forces of the United States who is or was killed in
5 action, who dies or died while in service, who is missing in action,
6 or whose death is documented to be directly caused by illness or
7 injury connected with service in the armed forces of the United
8 States. However, to qualify for this exemption, the spouse must be
9 a citizen of Texas and must have resided in the state for at least 12
10 months immediately preceding the date of the spouse's registration.

11 (g) The governing board of a junior college district may
12 provide that an exemption [~~the exemptions~~] provided by Subsection
13 [~~Subsections~~] (a), [~~and~~] (b), or (b-1) does [~~de~~] not apply to a
14 course fee or training fee charged a student by the junior college
15 district to cover the flight time costs associated with a course in
16 aircraft flight training, to the extent those costs are incurred by
17 a student:

18 (1) who does not have a private pilot rating; or

19 (2) who has a private pilot rating but is not actively
20 seeking to fulfill the requirements of the Federal Aviation
21 Administration for an additional certification or rating.

22 SECTION 2. (a) This Act takes effect immediately and
23 applies beginning with the 2003-2004 academic year if it receives a
24 vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution.

26 (b) If this Act does not receive the vote necessary for
27 immediate effect, this Act takes effect September 1, 2003, and

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1 applies beginning with the first academic term that begins after
2 December 31, 2003.