

By: Wise

H.B. No. 2915

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the nonprofit organizations qualified to finance  
3 certain guaranteed student loans.

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

5 SECTION 1. Section 53.47(k), Education Code, is repealed.

6 SECTION 2. If this Act takes effect on or after September 1,  
7 2003, Section 53.47(a), Education Code, is amended by adding  
8 Subdivision (6) to read as follows:

9 (6) "Qualified nonprofit corporation" means a  
10 nonprofit corporation:

11 (A) that issued bonds on or after January 1,  
12 1990, and before January 1, 2001, that qualified as qualified  
13 student loan bonds under Section 144(b), Internal Revenue Code of  
14 1986, as amended; or

15 (B) that the office of the governor, in  
16 consultation with the state student loan guaranty agency or any  
17 other public or private entity the office of the governor considers  
18 appropriate, has determined meets a need for student loan financing  
19 that existing qualified nonprofit corporations cannot meet, which  
20 determination may include information provided by the nonprofit  
21 corporation's plan for doing business that should include  
22 documented limitations in:

23 (i) the geographic coverage of existing  
24 qualified nonprofit corporations in the nonprofit corporation's

1 proposed area of service;

2 (ii) the willingness of existing qualified  
3 nonprofit corporations to serve the eligible lenders in the  
4 proposed area of service; and

5 (iii) the ability of existing qualified  
6 nonprofit corporations to serve the eligible lenders in the  
7 proposed area of service.

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