

BILL ANALYSIS

C.S.H.B. 994
By: Gonzales
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Texas law does not allow the governing board of public junior colleges or public technical institutes to recover lost state contact hour funding for students who take a course three or more times. Additionally, public junior colleges and public technical institutes are not allowed to charge students additional fees or tuition to make up for this loss of state contact hour funding.

CSHB 994 would allow the governing boards of public junior colleges and public technical institutes to charge additional tuition or fees to students repeating a course two or more times (i.e. taking it 3 times or more), thereby allowing public junior colleges and public technical institutes to recover lost state contact hour funding. Additionally, this bill would place community colleges and technical institutes in parity with universities which are able to recover lost contact hour funding from students enrolled in universities who repeat courses.

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 - Subchapter A, Chapter 130, Education Code, is amended by adding Section 130.0034 to allow the governing board of a public junior college district to charge a higher rate of tuition if a student has previously enrolled in the same course or a course of substantially similar content or level two or more times after the 2003-2004 academic school year. This does not apply to non-degree-credit developmental courses.

SECTION 2 - Section 135.52, Education Code, is amended to allow the governing board of a public technical institute district to charge a higher rate of tuition if a student has previously enrolled in the same course or a course of substantially similar content or level two or more times after the 2003-2004 academic school year. This does not apply to non-degree-credit developmental courses.

SECTION 3 - This change in law only applies to students who enroll in a class for the third time or more beginning in the 2005-2006 academic year.

SECTION 4 - Effective date.

EFFECTIVE DATE

This Act will take place immediately if it receives the necessary votes, otherwise it will take effect on September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The caption is amended to more accurately reflect the bill. The substitute allows public technical institutes, in addition to public junior colleges, to charge a higher tuition rate to students who repeat courses three or more times. The substitute also changes the beginning academic year from 2003-2004 to 2005-2006.