

BILL ANALYSIS

C.S.H.B. 1214
By: Morrison
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, public junior colleges may charge tuition in any amount so long as it is above the floor set forth in the Texas Education Code. The statute, however, does not say whether or not an institution may charge differentiated tuition for different programs. The lack of this provision has led to differing interpretation of the statute and, often times results in the cost of more expensive course offerings to be distributed across the board. CSHB 1214 would clarify that public junior colleges may charge differentiated tuition for different programs.

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 - Clarifies that the provisions within Section 54 of the Education Code only applies to junior colleges where a provision expressly applies to junior colleges or to the extent provided by Chapter 130 of the Education Code.

SECTION 2 - Provides that the governing board of a public junior college may set, as it considers appropriate to reflect course costs, efficiency, or other rational purpose, a different tuition rate for each program, course, or course level offered by the institution.

SECTION 3 - Provides that this Act applies beginning with tuition charged for the 2005 fall semester. Tuition charged for an academic period before the 2005 fall semester is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4 - Effective date.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds SECTION 1 to clarify the applicability of the provision in order to conform to existing code.