

BILL ANALYSIS

C.S.H.B. 3105
By: Corte
Defense Affairs & State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Section 54, Education Code allows for an exemption from tuition and fees for certain military veterans and certain dependents of veterans. The current requirement for residency is that the veteran must be a citizen of Texas when they enter the service and they must reside in Texas at least one year prior to registration.

Because of this residency requirement, qualified military veterans returning from active military service must also wait for one year after returning from service to be eligible for the benefits. This happens despite the fact that most of these veterans are lifelong Texans and have lived here for much of their life prior to entering the service. Forcing these veterans to wait for one year after they return can set their schooling back for this full year and is not necessary. CSHB 3105 allows military veterans returning from military service, who are otherwise eligible for this exemption, to be eligible for the exemption immediately upon their return.

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, Section 54.203 (a-1) allows for a veteran returning from active duty in the armed forces to register for college and not be subject to the residency requirement requiring that they reside in Texas for at least 12 months immediately preceding their registration. SECTION 1 makes other technical clean up changes to the code, including changing "citizen" of Texas to "resident" of Texas.

The provisions in this bill apply beginning with tuition and fees charged for the 2005 fall semester.

EFFECTIVE DATE

Unless this bill receives the necessary votes for immediate effect, this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Substitute version of the bill removes conflicting language in SECTION 1 changing the residency requirements for a veteran to apply Subchapter B, Section 54, Education Code to the residency requirements for this exemption.

The Substitute also removes language in SECTION 1, Section 54.203 (b) applying Subchapter B residency requirements to the qualified children of veterans.