

BILL ANALYSIS

Senate Research Center
79R6280 JRJ-D

S.B. 774
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Veteran Affairs & Military Installations
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Hazlewood Act provides 150 credit hours of free tuition and free or reduced fees at public colleges and universities for eligible veterans of the armed forces. However, even though Texas is home to about 1.7 million veterans, only 8,000 to 9,000 veterans are currently utilizing the Hazlewood exemption.

Currently, the only children of veterans who can use the Hazlewood exemption are those whose parent was killed in action or as a result of his or her military service, and those whose parent was missing in action or held as a prisoner of war. Because veterans, through their service to the country, are entitled to the benefit themselves, a veteran should be able to allow a family member to use the entitlement in the event that the veteran is unable to use the hours to his or her own benefit.

As proposed, S.B. 774 (The Hazlewood Legacy Act) allows veterans who have not used all their Hazlewood exemption to designate one child of the veteran to use the remaining tuition exemption in his or her place.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Veterans Commission in SECTION 1 (Section 54.203, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.203, Education Code, by amending Subsections (c) and (g) and adding Subsections (h) and (i), as follows:

(c) Prohibits the exemptions provided for in Subsections (a) and (h) from exceeding a cumulative total of 150 credit hours.

(g) Makes a conforming change.

(h) Requires the Texas Veterans Commission (TVC) by rule to prescribe procedures to allow a person eligible for an exemption provided by Subsection (a) (pertaining to exemption from higher education tuition and fees), who has never received an exemption under that subsection, to waive the person's right to the exemption and assign the exemption to one of the person's children. Sets forth certain requirements for the procedures.

(i) Requires a person to be classified as a resident under Subchapter B (Tuition Rates) when the person enrolls in an institution of higher education to be eligible to receive an exemption under Subsection (h).

SECTION 2. (a) Makes application of this Act prospective to the 2005 fall semester.

(b) Requires TVC to prescribe the procedures required by Section 54.203(h), Education Code, as required by this Act, as soon as practicable after the effective date of this Act. Authorizes TVC to adopt such rules in the manner provided by law for emergency rules.

SECTION 3. Effective date: upon passage or September 1, 2005.