

By: Brown of Brazos

H.B. No. 19

A BILL TO BE ENTITLED

AN ACT

relating to tuition and fee rebates for timely completion of degree programs offered by general academic teaching institutions.

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

SECTION 1. Subchapter A, Chapter 54, Education Code, is amended by adding Section 54.0061 to read as follows:

Sec. 54.0061. TUITION AND FEE REBATE FOR TIMELY COMPLETION OF DEGREE PROGRAM. (a) In this section:

(1) "Compulsory fee" has the meaning assigned by Section 54.503.

(2) "Coordinating board" means the Texas Higher Education Coordinating Board.

(3) "General academic teaching institution" has the meaning assigned by Section 61.003.

(b) A student is eligible to receive a rebate of a portion of the undergraduate tuition and compulsory fees the student has paid if the student:

(1) enrolls at a general academic teaching institution:

(A) as a first-time freshman; or

(B) not later than the first fall semester following the student's graduation from high school;

(2) after satisfying the requirement of Subdivision (1), remains continuously enrolled at a general academic teaching

1 institution until graduation, except as otherwise permitted by this
2 section;

3 (3) at all times while the student is enrolled at a
4 general academic teaching institution, is a resident of this state
5 for purposes of Subchapter B, Chapter 54, or is otherwise entitled
6 to pay tuition and fees at the rate provided for residents of this
7 state;

8 (4) is awarded a baccalaureate degree from a general
9 academic teaching institution; and

10 (5) completes the student's degree program in
11 accordance with the following time requirements:

12 (A) for a four-year degree program, on or before
13 the fourth anniversary of the date the student first enrolls in a
14 general academic teaching institution; or

15 (B) for a degree program of any other length, not
16 later than the end of the standard completion period for that
17 program, as established by the general academic teaching
18 institution awarding the degree.

19 (c) The amount of a rebate under this section is the
20 difference between the total amount of tuition and compulsory fees
21 the student actually paid while enrolled in a general academic
22 teaching institution and the total amount the student would have
23 paid during that period if the student paid tuition at the rate and
24 compulsory fees in the total amount in effect for the first full
25 semester the student was enrolled in a general academic teaching
26 institution. A student may not receive a rebate under this section
27 if for any reason the amount of tuition and compulsory fees the

1 student actually paid is equal to or less than the amount of tuition
2 and compulsory fees the student would have paid if the student had
3 paid tuition at the rate and compulsory fees in the total amount in
4 effect for that first full semester.

5 (d) A student who is otherwise eligible to receive a rebate
6 under this section and who transfers from one general academic
7 teaching institution to another remains eligible for a rebate under
8 this section. An eligible transfer student enrolling at a general
9 academic teaching institution must provide all undergraduate
10 transcripts and receipts for tuition and fee payments to the
11 institution to enable the institution to verify the student's
12 eligibility for a rebate and determination of the amount of the
13 rebate.

14 (e) Each general academic teaching institution shall notify
15 each entering undergraduate student of the rebate program under
16 this section.

17 (f) The general academic teaching institution awarding the
18 degree to a student eligible for a rebate under this section shall
19 pay the rebate from local funds.

20 (g) If a student eligible for a rebate under this section
21 has an outstanding student loan, including an emergency loan, owed
22 or guaranteed by this state, including the Texas Guaranteed Student
23 Loan Corporation, the general academic teaching institution
24 awarding the degree shall apply the amount of the rebate to the
25 student's loan. If a student has more than one outstanding loan,
26 the institution shall apply the amount of the rebate to the loans as
27 directed by the student or, if the student fails to provide timely

1 instructions on the application of the amount, the institution
2 shall apply the amount of the rebate to the loans according to
3 priorities established by coordinating board rule. If the amount
4 of the rebate exceeds the amount of the student's debt on the loan
5 or loans, the institution shall pay the student the excess amount.

6 (h) The legislature shall account in the General
7 Appropriations Act for a rebate authorized by this section in a
8 manner that provides a corresponding increase in the general
9 revenue funds appropriated to the general academic teaching
10 institution that pays the rebate. To the extent practicable,
11 rebates authorized by this section shall be financed by savings to
12 the state resulting from reducing the periods that undergraduate
13 students are enrolled in general academic teaching institutions.

14 (i) A student who is eligible for a rebate under this
15 section may also qualify for a rebate under Section 54.0065.

16 (j) In consultation with general academic teaching
17 institutions, the coordinating board shall adopt any rules
18 necessary to administer this section, including rules consistent
19 with Subsection (c) for determining rebate amounts for students who
20 transfer among general academic teaching institutions, rules
21 governing the application of rebate amounts to outstanding student
22 loans, and rules allowing students to suspend their enrollment or
23 giving students additional time to complete their degree programs
24 as described by Subsection (k).

25 (k) The coordinating board shall adopt rules to allow a
26 student to receive a rebate under this section if the student
27 satisfies the other requirements of this section but is unable to

1 remain continuously enrolled at a general academic teaching
2 institution as required by Subsection (b)(2) or to complete the
3 student's degree program within the period required by Subsection
4 (b)(5) solely as a result of a hardship or other good cause shown,
5 including a showing of:

6 (1) a severe illness or other debilitating condition
7 that affects the student's ability to satisfy the requirement of
8 Subsection (b)(2) or (5); or

9 (2) the student's responsibility for the care of a
10 sick, injured, or needy person if the provision of care affects the
11 student's ability to satisfy the requirement of Subsection (b)(2)
12 or (5).

13 (1) This section does not apply to a student who enters a
14 general academic teaching institution for the first time before the
15 2005 summer session. This subsection expires January 1, 2011.

16 SECTION 2. The Texas Higher Education Coordinating Board
17 shall adopt rules for the administration of Section 54.0061,
18 Education Code, as added by this Act, as soon as practicable after
19 this Act takes effect. For that purpose, the coordinating board may
20 adopt the initial rules in the manner provided by law for emergency
21 rules.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2005.