

1-1 By: Miller, et al. (Senate Sponsor - Shapleigh) H.B. No. 1170
1-2 (In the Senate - Received from the House April 7, 2005;
1-3 April 11, 2005, read first time and referred to Subcommittee on
1-4 Higher Education; May 9, 2005, reported adversely, with favorable
1-5 Committee Substitute to Committee on Education; May 16, 2005,
1-6 reported adversely, with favorable Committee Substitute from
1-7 Committee on Education by the following vote: Yeas 5, Nays 0;
1-8 May 16, 2005, sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR H.B. No. 1170 By: Averitt

1-10 A BILL TO BE ENTITLED
1-11 AN ACT

1-12 relating to readmission to a public institution of higher education
1-13 of students who withdraw to perform active military service.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. (a) Subchapter Z, Chapter 51, Education Code,
1-16 is amended by adding Section 51.9242 to read as follows:

1-17 Sec. 51.9242. READMISSION OF STUDENT WHO WITHDRAWS TO
1-18 PERFORM ACTIVE MILITARY SERVICE. (a) This section applies only to
1-19 a student who withdraws from an institution of higher education to
1-20 perform active military service as a member of the United States
1-21 armed forces or the Texas National Guard, except that this section
1-22 does not apply to a student who withdraws from an institution solely
1-23 to perform one or more training exercises as a member of the Texas
1-24 National Guard.

1-25 (b) For any academic term that begins after the date a
1-26 student described by Subsection (a) is released from active
1-27 military service but not later than the first anniversary of that
1-28 date, the institution of higher education from which the student
1-29 withdrew shall readmit the student, without requiring
1-30 reapplication or charging a fee for readmission, if the student is
1-31 otherwise eligible to register for classes at the institution. On
1-32 readmission of the student under this subsection, the institution
1-33 shall:

1-34 (1) provide to the student any financial assistance
1-35 previously provided by the institution to the student before the
1-36 student's withdrawal if the student meets current eligibility
1-37 requirements for the assistance, other than any requirement
1-38 directly affected by the student's service, such as continuous
1-39 enrollment or another similar timing requirement; and

1-40 (2) allow the student the same academic status that
1-41 the student had before the student's withdrawal, including any
1-42 course credit awarded to the student by the institution.

1-43 (c) An institution of higher education may adopt rules
1-44 requiring reasonable proof from a student of the fact and duration
1-45 of the student's active military service.

1-46 (b) Section 51.9242, Education Code, as added by this Act,
1-47 applies beginning with readmissions to a public institution of
1-48 higher education for the first semester or other academic term that
1-49 begins after this Act takes effect.

1-50 SECTION 2. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2005.

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