

By: Brown of Brazos

H.B. No. 1172

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the tuition charged to resident undergraduate students
3 of institutions of higher education for excess credit hours and to
4 related formula funding.

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

6 SECTION 1. Sections 54.068(a) and (c), Education Code, are
7 amended to read as follows:

8 (a) An institution of higher education may charge a resident
9 undergraduate student tuition at a higher rate than the rate
10 charged to other resident undergraduate students, not to exceed the
11 rate charged to nonresident undergraduate students, if before the
12 semester or other academic session begins the student has
13 previously attempted a number of semester credit hours for courses
14 taken at any institution of higher education while classified as a
15 resident student for tuition purposes that equals or exceeds 120
16 percent of [~~by at least 45 hours~~] the minimum number of semester
17 credit hours required for completion of the degree program or
18 programs in which the student is enrolled, including minors and
19 double majors, and for completion of any certificate or other
20 special program in which the student is also enrolled, including a
21 program with a study-abroad component. For purposes of this
22 subsection, an undergraduate student who is not enrolled in a
23 degree program is considered to be enrolled in a degree program
24 requiring a minimum of 120 semester credit hours.

1 (c) Subsection (a) applies only [~~does not apply~~] to the
2 tuition charged to a student who initially enrolled as an
3 undergraduate student in an institution of higher education during
4 or after [~~before~~] the 1999 fall semester, except that the
5 institution of higher education may not require a student who
6 initially enrolls as an undergraduate student in an institution of
7 higher education before the 2006 fall semester to pay higher
8 tuition as permitted by Subsection (a) until the number of semester
9 credit hours previously attempted by the student as described by
10 that subsection exceeds the number of semester credit hours
11 required for the student's degree program or programs by at least 45
12 hours.

13 SECTION 2. Section 61.0595, Education Code, is amended by
14 amending Subsections (a) and (e) and adding Subsections (f) and (g)
15 to read as follows:

16 (a) In the formulas established under Section 61.059, the
17 board may not include funding for semester credit hours earned by a
18 resident undergraduate student who before the semester or other
19 academic session begins has previously attempted a number of
20 semester credit hours for courses taken at any institution of
21 higher education while classified as a resident student for tuition
22 purposes that equals or exceeds 120 percent of [~~by at least 45~~
23 ~~hours~~] the minimum number of semester credit hours required for
24 completion of the degree program or programs in which the student is
25 enrolled, including minors and double majors, and for completion of
26 any certificate or other special program in which the student is
27 also enrolled, including a program with a study-abroad component.

1 (e) Subsection (a) applies only [~~does not apply~~] to funding
2 for semester credit hours earned by a student who initially
3 enrolled as an undergraduate student in any institution of higher
4 education during or after [~~before~~] the 1999 fall semester, except
5 that with respect to semester credit hours earned by a student who
6 initially enrolls as an undergraduate student in any institution of
7 higher education before the 2006 fall semester, the board may not
8 reduce funding under this section until the number of semester
9 credit hours previously attempted by the student as described by
10 this section exceeds the number of semester credit hours required
11 for the student's degree program or programs by at least 45 hours.

12 (f) In the formulas established under Section 61.059, the
13 board shall include without consideration of Subsection (a) funding
14 for semester credit hours earned by a student who initially
15 enrolled as an undergraduate student in any institution of higher
16 education before the 1999 fall semester [~~for those semester credit~~
17 ~~hours without consideration of Subsection (a)].~~

18 (g) To the extent practicable, the savings to the state
19 resulting from the exclusion of funding for excess undergraduate
20 semester credit hours from the funding formulas of the board as
21 required by this section shall be used to finance the Toward
22 EXcellence, Access, & Success (TEXAS) grant program under
23 Subchapter M, Chapter 56.

24 SECTION 3. The change in law made by this Act applies
25 beginning with the 2005 fall semester.

26 SECTION 4. This Act takes effect September 1, 2005.