

By: Ellis

S.B. No. 1554

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a limitation on increases in the total amount of tuition
3 charged by public institutions of higher education.

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

5 SECTION 1. Subchapter B, Chapter 54, Education Code, is
6 amended by adding Section 54.0514 to read as follows:

7 Sec. 54.0514. LIMITATION ON INCREASE IN TOTAL AMOUNT OF
8 TUITION. (a) In this section, "tuition" includes:

9 (1) tuition for which the rates are prescribed by this
10 chapter; and

11 (2) tuition charged by an institution of higher
12 education under Section 54.0513 or another law authorizing an
13 institution to establish tuition rates.

14 (b) The total amount of tuition charged by an institution of
15 higher education to a student may not exceed the total amount of
16 tuition that the institution would have charged to a similarly
17 situated student in the preceding academic year by more than five
18 percent. For purposes of this subsection, students are similarly
19 situated if they share the same residency status, degree program,
20 course load, course level, tuition exemption status, and other
21 circumstances affecting the tuition charged to the student. This
22 subsection does not ensure that the total amount of tuition charged
23 to an individual student does not increase by more than five percent
24 based on a change in the student's residency status, degree

1 program, course load, course level, tuition exemption status, or
2 other circumstance affecting the tuition charged to the student.

3 (c) The Texas Higher Education Coordinating Board may adopt
4 rules as necessary to administer this section.

5 (d) In addition to the limitation on tuition increases
6 provided by Subsection (b), the total amount of tuition charged by
7 an institution of higher education to a student for the 2005-2006
8 academic year may not be more than five percent higher than the
9 total amount of tuition charged for the 2002-2003 academic year to a
10 similarly situated student as determined under Subsection (b).

11 (e) If a student has paid an amount of tuition for the 2005
12 fall semester in excess of the maximum amount permitted by this
13 section, the institution, not later than January 1, 2006, shall
14 refund to the student the excess amount of tuition paid. This
15 subsection expires September 1, 2006.

16 SECTION 2. This Act applies beginning with tuition charged
17 by public institutions of higher education for the 2005-2006
18 academic year.

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