

BILL ANALYSIS

C.S.H.B. 897
By: McClendon
Defense Affairs & State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to an opinion of the Texas Attorney General, veterans eligible for the Hazlewood tuition exemption, under Education Code Sec. 54.203, must have been citizens of Texas at the time they entered the service and have resided in Texas for at least 12 months before enrolling at a school.

As proposed, CSHB 897 allows a veteran who entered the service in Texas or was a resident of Texas at the time of entry into service, to qualify for the tuition exemption.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 897 amends the Education Code to provide that a person seeking the Hazlewood exemption entered the service at a location in Texas or when the person was a resident of Texas determined in the same manner as residency is determined under Subchapter B and is a resident of Texas under Subchapter B to qualify. Further, it extends the Hazlewood benefit to the children or the current or surviving spouse of a member of the armed forces who was killed or missing in action, died in service, whose death is directly caused by illness or injury connected with service, or who became totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs. The bill also provides that children or the current or surviving spouse of members of the Texas National Guard and the Texas Air National Guard who were killed while on active duty or are totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs, as a result of a service-related injury, are eligible for the tuition and fee exemption.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill allowed a veteran whose home of record was Texas at the time of entry into service and who resided in Texas at least 12 months prior to registering for college to qualify for the tuition exemption. The substitute provides that a person seeking the Hazlewood exemption entered the service at a location in Texas or when the person was a resident of Texas in the same manner as residency is determined under Subchapter B and is a resident of Texas under Subchapter B to qualify. Also, the original bill extended the benefit to the children of service members who became permanently disabled while in service. The substitute extends the benefit to the children or spouse of a service member killed or missing in action, or who became totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs, among others. It also extends the benefit to the children or spouse of a Texas National Guard or Texas Air National Guard member who was killed on active duty or is totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs.