

BILL ANALYSIS

C.S.H.B. 2702
By: Truitt
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current statute allows for children adopted out of foster care to be exempted from tuition at Texas' state colleges and universities. Due to a peculiarity in the way the statute is worded, this tuition exemption has also been interpreted to be available to children adopted internationally. CSHB 2702 would clarify the terms of this 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

SECTION 1: Section 54.2111 (a) of the Education Code is amended by adding language that states that a student is exempt from the payment of tuition and fees authorized by this chapter if the student was the subject of a certain adoption assistance agreement that provided monthly payments and medical assistance benefits and was not limited to providing only for the reimbursement of nonrecurring expenses, including reasonable and necessary adoption fees, court costs, attorney's fees and other expenses directly related to the legal adoption of the child.

SECTION 2: The change in law made by this Act applies beginning with tuition and fees charged at a public institution of higher education for the 2007 fall semester. Tuition and fees charged for an academic period before the 2007 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Provides that the change in law made by this Act does not apply to a student who was enrolled in a public institution of higher education and qualified for an exemption for tuition and fees under Section 54.2111(a), Education Code, for any academic term of the 2006-2007 academic year. Such a student is entitled to an exemption from tuition and fees under Section 54.2111(a), Education Code, as that section existed immediately before the effective date of this Act, until the earlier of: the date the student completes the degree program in which the student was last enrolled in the 2006-2007 academic year or another degree program of the same level; or the fourth anniversary of the date the student initially enrolled in the degree program in which the student was last enrolled in the 2006-2007 academic year.

SECTION 3: Effective date.

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 substitute adds the requirement that, to be eligible for the tuition exemption authorized under Sec. 54.2111, Education Code, a student must be subject of a certain adoption assistance agreement that provided monthly payments and medical assistance benefits and was not limited to providing only for the reimbursement of nonrecurring expenses, including reasonable and

necessary adoption fees, court costs, attorney's fees, and other expenses directly related to the legal adoption of the child.

The substitute removes the language, added by the bill as filed, that stated that a student is not eligible for the tuition exemption authorized by Sec. 54.2111, Education Code, if the student's most recent adoption was an international adoption.