

BILL ANALYSIS

Senate Research Center

S.B. 457
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Government Organization
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 615.0225(a), Government Code, provides that a surviving child of a public service or law enforcement employee killed in the line of duty, such as a police officer or firefighter, is entitled to receive education benefits, such as tuition, housing, and food costs at an institution of higher education. However, the language applies only to a child who was claimed as a dependent on the employee's federal income tax return. Because a child can only qualify as a dependent for tax purposes for one person, this provision may inadvertently exclude a divorced or unmarried employee's child from receiving such benefits.

S.B. 457 amends the language of Section 615.0225(a), Government Code, to authorize education benefits for a child of a public service or law enforcement employee killed in the line of duty regardless of whether the employee is the custodial or noncustodial parent.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 615.0225(a), Government Code, to change the definition of a surviving minor child of a public service or law enforcement employee killed in the line of duty to a minor child, as defined by Section 615.001(a child under 18 years of age at the time of death of the employee and, if not a biological or adopted child of the employee, claimed on the employee's last federal income tax return as a dependent), for the purposes of eligibility for certain education benefits.

SECTION 2. Makes Section 615.0225(a), Government Code, as amended by this Act, regarding the eligibility of a surviving child for educational benefits, applicable in relation to a death that occurs on or after September 1, 2001. Makes that change applicable to an award of education benefits beginning with the 2007 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2007.