

## **BILL ANALYSIS**

S.B. 457  
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Pensions & Investments  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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**

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. 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.

### **EFFECTIVE DATE**

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