

## BILL ANALYSIS

Senate Research Center  
80R3355 JRJ-D

S.B. 609  
By: Ellis  
S/C on Higher Education  
4/21/2007  
As Filed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute entitles members of the armed forces stationed in Texas and their spouses and children to register in a state institution of higher education and pay in-state tuition and fees. Current law also exempts veterans and their children from certain fees at state institutions of higher education.

As proposed, S.B. 609 expands and extends current benefits for servicemembers and their dependants to exempt such persons from payment of most fees charged by a public institution of higher education, while continuing to qualify those persons for in-state tuition rates.

### 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 54.058, Education Code, by amending Subsections (b), (c), (d), (f), (g), (i), and (j) and by adding Subsections (b-1) and (k), as follows:

(b) Deletes existing text entitling certain persons in the armed forces to register in a state institution of higher education by paying the tuition fee and other fees or charges required of Texas residents. Entitles certain persons in the armed forces to register in a state institution of higher education by paying the tuition required of Texas residents, and exempts them from payment of all fees of the institution, including certain specified fees.

(b-1) Prohibits out-of-state Army National Guard or Air National Guard members attending training with Texas Army or Air National Guard units from receiving benefits under Subsection (b), and prohibits certain out-of-state armed forces members training with units in Texas under similar regulations from receiving benefits under Subsection (b). Provides that it is the intent of the legislature that those members of reserve forces described by this subsection receive benefits under Subsection (b) only when they become members of Texas units of the military organizations described by Subsection (b). Deletes existing text to make nonsubstantive changes.

(c) Entitles the spouse or child of a member of the armed forces who has been assigned to duty elsewhere following assignment to duty in Texas to receive the benefits described by Subsection (b) providing the spouse or child resides continuously in Texas. Deletes existing text entitling the spouse or child to pay the tuition fees and other fees or charges provided by Texas residents.

(d) Makes a conforming change.

(f) Makes a conforming change.

(g) Makes a conforming change.

(i) Makes a conforming change.

(j) Makes conforming changes.

(k) Requires the governing board of the institution of higher education in which the person is enrolled to award to the person a scholarship to cover the costs of books and educational materials required for each semester or session in which a person receives the benefits described by Subsection (b) under any provision of this section.

SECTION 2. Amends Section 54.203, Education Code, by amending Subsections (a), (b), and (d) and adding Subsections (a-1), (b-1), and (b-2), as follows:

(a) Requires the governing board of each institution of higher education to exempt certain persons from the payment of all dues, fees, and charges, including fees for correspondence courses but excluding property deposit fees and any fees or charges for lodging, board, or clothing, provided the person seeking the exemption declared this state as the person's home of record and has lived in this state for at least 12 months before the date of registration. Deletes existing text requiring the governing board of each institution of higher education to exempt student services fees and makes nonsubstantive changes.

(a-1) Provides that a person who received an exemption provided by Subsection (a) in the 2006-2007 academic year continues to be eligible for the exemption provided by that subsection provided that the person is continuously enrolled in an institution of higher education, other than the requirement of Subsection (a) that the person must have declared this state as the person's home of record during the entering of the service.

(b) Provides that the exemptions provided for in Subsection (a) also apply to the spouse and children of members of the armed forces of the United States whose death is documented to be directly connected with service and to the spouse and children of members of the Texas National Guard and the Texas Air National Guard killed since January 1, 1946, while on active duty either in the service of their state or the United States. Requires a person to have resided in this state for at least 12 months immediately before the date of the person's registration to qualify for this exemption. Deletes existing text to make nonsubstantive changes.

(b-1) Requires the governing body of the institution of higher education in which the person is enrolled to exempt the person from the payment of fees and charges for lodging and board if the person resides on the campus of the institution for each semester or session in which the person receives an exemption from tuition and fees under this section. Requires the institution to provide a reasonable stipend to cover the costs of the person's lodging and board if the person does not reside on the campus of the institution.

(b-2) Requires the governing body of the institution of higher education in which the person is enrolled to award a scholarship to cover the costs of books and educational materials required for course work at the institution for each semester or session in which a person receives an exemption from tuition and fees under this section.

(d) Requires the governing board of each institution granting an exemption to require every applicant claiming the exemption to submit satisfactory evidence that the applicant qualifies for the exemption. Deletes existing text relating to an applicant being required to submit satisfactory evidence that the applicant fulfills necessary citizenship and residency requirements.

SECTION 3. Makes application of this Act prospective to the 2007 fall semester.

SECTION 4. Effective date: upon passage or September 1, 2007.