

BILL ANALYSIS

S.B. 874

By: Van de Putte
Defense Affairs & State-Federal Relations
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Section 54.203 (Veterans, Dependents, Etc.), Education Code, otherwise known as the Hazlewood Act, provides 150 credit hours of free tuition and free or reduced fees at public colleges and universities for eligible veterans of the armed forces. However, even though this state is home for 1.7 million veterans, only about 8,000 to 9,000 veterans are currently using this exemption. Although veterans, through their service to the United States, are entitled to the benefit themselves, a veteran is not able to allow a family member to use the entitlement in the event the veteran is unable to use the hours to his or her own benefit.

As proposed, S.B. 874 authorizes veterans who have not used their Hazlewood Act exemption to designate one child of the veteran to use the remaining tuition exemption in his or her place.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board (THECB) in SECTION 2 of this bill.

SECTION 3 of the bill requires THECB to prescribe the procedures required as added by this Act, as soon as practicable after the effective date of this Act. Authorizes THECB to adopt the initial rules prescribing those procedures in the manner provided by law for emergency rules.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires this Act to be known as the "Hazlewood Legacy Act."

SECTION 2. Amends Section 54.203, Education Code, by amending Subsections (a), (e), and (g), and adding Subsections (k) and (l), 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, student services fees, and any fees or charges for lodging, board, or clothing, provided the person seeking the exemption entered the service at a location in this state or when the person was a resident of this state determined in the same manner as residency is determined under Subchapter B (Tuition Rates) and is a resident of this state under Subchapter B, rather than provided the persons seeking exemptions were citizens of Texas at the time they entered the services indicated and have resided in Texas for at least the period of 12 months before the date of registration. Makes a nonsubstantive change.

(e) Requires the person, if the value of the federal benefits does not equal or exceed the value of the exemptions provided for by this section, to first utilize the federal benefit, and prohibits the combined amount of the federal benefit plus the amount of the exemption, rather than the waiver, to exceed the maximum value of the exemption. Makes conforming and nonsubstantive changes.

(g) Makes a conforming change.

(k) Requires the Texas Higher Education Coordinating Board (THECB) by rule to prescribe procedures to allow a person who becomes eligible for an exemption provided by Subsection (a) and has used all the person's federal benefits as required by Subsection (b) to waive the person's right to any unused portion of the maximum number of

cumulative credit hours for which the person could receive the exemption and assign the exemption for the unused portion of those credit hours to one of the person's children. Requires certain procedures to be included.

(l) Requires a person to meet certain requirements to be eligible to receive an exemption under Subsection (k).

SECTION 3. (a) Makes application of this Act prospective to the 2008 spring semester.

(b) Requires THECB to prescribe the procedures required by Sections 54.203(k) and (l), Education Code, as added by this Act, as soon as practicable after the effective date of this Act. Authorizes THECB to adopt the initial rules prescribing those procedures in the manner provided by law for emergency rules.

SECTION 4. Effective date: September 1, 2007

EFFECTIVE DATE

September 1, 2007.