

1-1 By: Kolkhorst, Gonzalez Toureilles H.B. No. 2103  
1-2 (Senate Sponsor - Ogden)  
1-3 (In the Senate - Received from the House May 10, 2007;  
1-4 May 14, 2007, read first time and referred to Subcommittee on  
1-5 Higher Education; May 18, 2007, reported favorably from Committee  
1-6 on Education by the following vote: Yeas 8, Nays 0; May 18, 2007,  
1-7 sent to printer.)

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a pilot program to provide student loan repayment  
1-11 assistance to certain correctional officers who graduate from Sam  
1-12 Houston State University.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 61, Education Code, is amended by adding  
1-15 Subchapter EE to read as follows:

1-16 SUBCHAPTER EE. CORRECTIONAL OFFICER  
1-17 LOAN REPAYMENT ASSISTANCE PILOT  
1-18 PROGRAM

1-19 Sec. 61.9751. DEFINITIONS. In this subchapter:

1-20 (1) "Correctional officer" means a correctional  
1-21 officer employed in a confinement facility operated by the Texas  
1-22 Department of Criminal Justice.

1-23 (2) "Trust fund" means the correctional officer loan  
1-24 repayment assistance trust fund.

1-25 Sec. 61.9752. REPAYMENT AUTHORIZED. The board shall  
1-26 establish a pilot program to provide, using money in the trust fund  
1-27 and in accordance with this subchapter and rules of the board,  
1-28 assistance in the repayment of student loans for correctional  
1-29 officers who apply and qualify for the assistance.

1-30 Sec. 61.9753. ELIGIBILITY. To be eligible to receive  
1-31 repayment assistance, a correctional officer must:

1-32 (1) have successfully completed a baccalaureate  
1-33 degree program at Sam Houston State University;

1-34 (2) establish to the board that:

1-35 (A) the repayment assistance will be used to  
1-36 repay any part of a student loan received by the correctional  
1-37 officer to cover tuition and fees required for enrollment in  
1-38 junior-level or senior-level coursework in the baccalaureate  
1-39 degree program at the university; and

1-40 (B) during the period of the correctional  
1-41 officer's enrollment at the university as described by Paragraph  
1-42 (A), the officer:

1-43 (i) was employed full-time as a  
1-44 correctional officer in this state;

1-45 (ii) was classified as a resident of this  
1-46 state under Subchapter B, Chapter 54;

1-47 (iii) established financial need as  
1-48 determined by board rule; and

1-49 (iv) maintained good academic standing at  
1-50 the university as determined by board rule;

1-51 (3) complete at least one full year of employment as a  
1-52 full-time correctional officer in this state not later than the  
1-53 second anniversary of the date of the person's graduation from the  
1-54 university; and

1-55 (4) comply with any other requirements adopted by  
1-56 board rule under this subchapter.

1-57 Sec. 61.9754. ELIGIBLE LOANS. (a) The board may provide  
1-58 repayment assistance for the repayment of any student loan received  
1-59 by an eligible correctional officer through any lender for the  
1-60 costs of tuition and fees at Sam Houston State University.

1-61 (b) The board may withhold repayment assistance for a  
1-62 student loan that is in default at the time of the correctional  
1-63 officer's application.

1-64 (c) Subject to Sections 61.9755 and 61.9758, each state

2-1 fiscal biennium the board shall attempt to allocate all funds  
 2-2 available in the trust fund for the purpose of providing repayment  
 2-3 assistance under this subchapter.

2-4 Sec. 61.9755. REPAYMENT. (a) The board shall deliver any  
 2-5 repayment under this subchapter in a lump sum payable to the lender  
 2-6 and the correctional officer, in accordance with any applicable  
 2-7 federal law.

2-8 (b) A repayment under this subchapter may be applied to any  
 2-9 amount due in connection with the loan.

2-10 (c) The board may grant prior conditional approval to a  
 2-11 correctional officer who completes each eligibility requirement  
 2-12 under Section 61.9753 other than the requirement under Section  
 2-13 61.9753(3) and may reserve money in the trust fund for disbursement  
 2-14 under this subchapter on the officer's completion of that  
 2-15 requirement.

2-16 Sec. 61.9756. RULES. (a) The board shall adopt rules  
 2-17 necessary to administer this subchapter. The board may consult  
 2-18 with the Texas Department of Criminal Justice to assist the board in  
 2-19 establishing priorities among eligible correctional officers for  
 2-20 repayment assistance.

2-21 (b) The board shall distribute to Sam Houston State  
 2-22 University, each public junior college, and appropriate state  
 2-23 agencies and professional associations copies of the rules adopted  
 2-24 under this section and other pertinent information relating to this  
 2-25 subchapter.

2-26 Sec. 61.9757. AMOUNT OF REPAYMENT ASSISTANCE. (a) The loan  
 2-27 repayment amount for one year of full-time employment as a  
 2-28 correctional officer after graduation from Sam Houston State  
 2-29 University may not exceed the cost of the tuition and fees required  
 2-30 for the officer to enroll in 30 semester credit hours of  
 2-31 junior-level or senior-level coursework at the university, as  
 2-32 applicable.

2-33 (b) The total amount of repayment assistance distributed by  
 2-34 the board under this subchapter may not exceed the total amount of  
 2-35 gifts and grants accepted by the board for repayment assistance,  
 2-36 legislative appropriations for repayment assistance, and other  
 2-37 funds available to the board for purposes of this subchapter.

2-38 Sec. 61.9758. TRUST FUND. (a) The board shall award  
 2-39 repayment assistance under this subchapter from the amount  
 2-40 available in the trust fund. The trust fund is established outside  
 2-41 the treasury but is held in trust by the comptroller. Money in the  
 2-42 trust fund may be spent without appropriation and only to fund the  
 2-43 pilot program. Interest and income from the assets of the trust  
 2-44 fund shall be credited to and deposited in the trust fund. In each  
 2-45 state fiscal year the board may spend from the trust fund to cover  
 2-46 the costs of administering this subchapter an amount not to exceed  
 2-47 2.5 percent of the total amount of money deposited into the trust  
 2-48 fund in that fiscal year.

2-49 (b) The board may solicit and accept gifts and grants from  
 2-50 any public or private source for the purposes of this subchapter and  
 2-51 shall deposit a gift or grant to the credit of the trust fund.

2-52 (c) The legislature may appropriate money to the trust fund.

2-53 Sec. 61.9759. EVALUATION OF PILOT PROGRAM. The board shall  
 2-54 evaluate the effectiveness of the pilot program established under  
 2-55 this subchapter and report the results of the evaluation to the  
 2-56 legislature not later than December 31 of each even-numbered year.

2-57 Sec. 61.9760. TERMINATION OF PILOT PROGRAM. The board may  
 2-58 not award repayment assistance under this subchapter to pay the  
 2-59 costs of enrollment in an academic year after the 2013-2014  
 2-60 academic year. On January 1, 2017, the trust fund is abolished and  
 2-61 any amount remaining in the trust fund shall be transferred to the  
 2-62 general revenue fund.

2-63 SECTION 2. The Texas Higher Education Coordinating Board  
 2-64 shall adopt the rules for repayment assistance under Subchapter EE,  
 2-65 Chapter 61, Education Code, as added by this Act, not later than  
 2-66 December 1, 2007.

2-67 SECTION 3. This Act takes effect immediately if it receives  
 2-68 a vote of two-thirds of all the members elected to each house, as  
 2-69 provided by Section 39, Article III, Texas Constitution. If this

3-1 Act does not receive the vote necessary for immediate effect, this  
3-2 Act takes effect September 1, 2007.

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