

By: Rodriguez

H.B. No. 2273

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to tuition and fee exemptions for certain military  
3 personnel and their family members.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 54.203, Education Code, is amended by  
6 amending Subsections (a), (b), (c), (e), and (g), amending  
7 Subsection (h) as added by Chapter 7, Acts of the 79th Legislature,  
8 Regular Session, 2005, and adding Subsections (b-1) and (e-1) to  
9 read as follows:

10 (a) The governing board of each institution of higher  
11 education shall exempt the following persons from the payment of  
12 all dues, fees, and charges, including fees for correspondence  
13 courses but excluding property deposit fees, student services fees,  
14 and any fees or charges for lodging, board, or clothing, provided  
15 the persons seeking the exemptions either were citizens of Texas at  
16 the time they entered the services indicated and have resided in  
17 Texas for at least the period of 12 months before the date of  
18 registration, or have resided in Texas for at least the period of 10  
19 years before the date of registration:

20 (1) all nurses and honorably discharged members of the  
21 armed forces of the United States who served during the  
22 Spanish-American War or during World War I;

23 (2) all nurses, members of the Women's Army Auxiliary  
24 Corps, members of the Women's Auxiliary Volunteer Emergency

1 Service, and all honorably discharged members of the armed forces  
2 of the United States who served during World War II except those who  
3 were discharged from service because they were over the age of 38 or  
4 because of a personal request on the part of the person that he be  
5 discharged from service;

6 (3) all honorably discharged men and women of the  
7 armed forces of the United States who served during the national  
8 emergency which began on June 27, 1950, and which is referred to as  
9 the Korean War; and

10 (4) all persons who were honorably discharged from the  
11 armed forces of the United States after serving on active military  
12 duty, excluding training, for more than 180 days and who served a  
13 portion of their active duty during:

14 (A) the Cold War which began on the date of the  
15 termination of the national emergency cited in Subdivision (3) of  
16 this subsection;

17 (B) the Vietnam era which began on December 21,  
18 1961, and ended on May 7, 1975;

19 (C) the Grenada and Lebanon era which began on  
20 August 24, 1982, and ended on July 31, 1984;

21 (D) the Panama era which began on December 20,  
22 1989, and ended on January 21, 1990;

23 (E) the Persian Gulf War which began on August 2,  
24 1990, and ends on the date thereafter prescribed by Presidential  
25 proclamation or September 1, 1997, whichever occurs first;

26 (F) the national emergency by reason of certain  
27 terrorist attacks that began on September 11, 2001; or

1 (G) any future national emergency declared in  
2 accordance with federal law.

3 (b) The exemptions provided for in Subsection (a) [~~of this~~  
4 ~~section~~] also apply [~~and inure~~] to the [~~benefit of the~~] children of  
5 a member [~~members~~] of the armed forces of the United States who was  
6 [~~are or were~~] killed in action, who [~~die or~~] died while in service,  
7 who is [~~are~~] missing in action, or whose death is documented to be  
8 directly caused by illness or injury connected with service in the  
9 armed forces of the United States, and to the benefit of orphans of  
10 a member [~~members~~] of the Texas National Guard or [~~and~~] the Texas  
11 Air National Guard killed since January 1, 1946, while on active  
12 duty either in the service of the member's [~~their~~] state or the  
13 United States. To [~~However, to~~] qualify for this exemption, a  
14 person must be a citizen of Texas and must have resided in the state  
15 for at least 12 months immediately preceding the date of the  
16 person's registration.

17 (b-1) The governing board of each institution of higher  
18 education shall exempt from the payment of all tuition and required  
19 fees the child of a veteran of the armed forces of the United States  
20 who is certified as having a service-connected disability of 50  
21 percent or more according to the disability ratings of the United  
22 States Department of Veterans Affairs. To qualify for this  
23 exemption, a person must be a citizen of Texas and must have resided  
24 in the state for at least the period of 12 months before the date of  
25 the person's registration.

26 (c) A person may not receive [~~The~~] exemptions provided for  
27 in Subsections [~~Subsection~~] (a) and (b-1) for more than [~~of this~~

1 ~~section shall not exceed~~ a cumulative total of 150 credit hours.

2 (e) The exemptions ~~[exemption from fees]~~ provided for in  
3 Subsections ~~[Subsection]~~ (a) and (b-1) ~~do [of this section does]~~  
4 not apply to a person who, ~~[if]~~ at the time of ~~[his]~~ registration,  
5 ~~[he]~~ is eligible for educational benefits under federal legislation  
6 ~~[in effect at the time of his registration]~~ if the value of those  
7 benefits is equal to or exceeds the value of the exemption. If the  
8 value of the federal benefits does not equal or exceed the value of  
9 the exemption, the ~~[, except that the]~~ person must first utilize the  
10 federal benefit, ~~[for which he is eligible]~~ and the combined amount  
11 of the federal benefit plus the amount of the exemption may ~~[this~~  
12 ~~waiver shall]~~ not exceed the maximum value of the exemption  
13 ~~[waiver]~~. A person is covered by the exemptions if the person's  
14 ~~[his]~~ right to benefits under federal legislation is extinguished  
15 at the time of ~~[his]~~ registration, except that a person is not  
16 eligible for an exemption from fees under this section if the  
17 person's right to benefits under federal legislation is  
18 extinguished because the person is in default of repayment of a loan  
19 made to the person under a federal program to provide or guarantee  
20 loans for educational purposes.

21 (e-1) A person is not eligible for an ~~[the]~~ exemption under  
22 this section if the person is in default on a loan made or  
23 guaranteed for educational purposes by the State of Texas.

24 (g) The governing board of a junior college district may  
25 establish a fee for extraordinary costs associated with a specific  
26 course or program and may provide that the exemptions provided by  
27 this section ~~[Subsections (a) and (b)]~~ do not apply to the ~~[this]~~

1 fee.

2 (h) The governing board of each institution of higher  
3 education shall electronically report to the Texas Higher Education  
4 Coordinating Board the information required by Section 61.0516  
5 relating to each individual receiving an exemption from fees and  
6 charges under this section [~~Subsection (a) or (b)~~]. The  
7 institution shall report the information not later than December 31  
8 of each year for the fall semester, May 31 of each year for the  
9 spring semester, and September 30 of each year for the summer  
10 session.

11 SECTION 2. Section 54.203, Education Code, as amended by  
12 this Act, applies beginning with tuition and other fees charged for  
13 the 2007 fall semester. Tuition and other fees charged for an  
14 academic period before the 2007 fall semester are covered by the law  
15 in effect immediately before the effective date of this Act, and the  
16 former law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2007.