

By: Garcia

H.B. No. 2804

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the rates of tuition charged to students of  
3 institutions of higher education.

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

5 SECTION 1. Sections 54.0513(a) and (b), Education Code, are  
6 amended to read as follows:

7 (a) In addition to amounts that a governing board of an  
8 institution of higher education is authorized to charge as tuition  
9 under the other provisions of this chapter, the governing board[~~7~~  
10 ~~under the terms the governing board considers appropriate,~~] may  
11 charge any student for an academic period an amount designated as  
12 tuition not to exceed the amount charged to the student under  
13 Section 54.051 or 54.0512, as applicable, for that academic period  
14 ~~[that the governing board considers necessary for the effective~~  
15 ~~operation of the institution].~~

16 (b) Subject to the limit provided by Subsection (a) on the  
17 amount designated as tuition charged under this section, a [A]  
18 governing board may set a different tuition rate under this section  
19 for each program and course level offered by each institution of  
20 higher education[~~. A governing board may set a different tuition~~  
21 ~~rate]~~ as the governing board considers appropriate to increase  
22 graduation rates, encourage efficient use of facilities, ~~[or]~~  
23 enhance employee performance, or further another legitimate  
24 purpose of the institution.

1           SECTION 2. Sections 54.0515(e) and (f), Education Code, are  
2 amended to read as follows:

3           (e) It is the legislature's intent that each institution of  
4 higher education[~~, as a condition to tuition deregulation under~~  
5 ~~Section 54.0513,~~] reasonably implement the following:

6           (1) each institution shall make satisfactory progress  
7 towards the goals provided in its master plan for higher education  
8 and in "Closing the Gaps," the state's master plan for higher  
9 education; and

10           (2) each institution shall meet acceptable  
11 performance criteria, including measures such as graduation rates,  
12 retention rates, enrollment growth, educational quality, efforts  
13 to enhance minority participation, opportunities for financial  
14 aid, and affordability.

15           (f) The committee shall:

16           (1) meet at the call of either chair;

17           (2) monitor and regularly report to the legislature on  
18 each institution of higher education's compliance with the  
19 requirements of Subsection (e); and

20           (3) receive and review information concerning the  
21 affordability and accessibility of higher education[~~, including~~  
22 ~~the impact of tuition deregulation~~].

23           SECTION 3. Subchapter B, Chapter 56, Education Code, is  
24 repealed.

25           SECTION 4. (a) The changes in law made by this Act apply  
26 beginning with tuition charged by an institution of higher  
27 education for the 2007-2008 academic year. Tuition charged by an

1 institution of higher education in an academic year before that  
2 academic year is covered by the law in effect before the effective  
3 date of this Act, and the former law is continued in effect for that  
4 purpose.

5 (b) Tuition set aside under Subchapter B, Chapter 56,  
6 Education Code, before the 2007-2008 academic year that was not  
7 used as provided by that subchapter before that academic year shall  
8 be used as provided by that subchapter as it existed immediately  
9 before the effective date of this Act, and that subchapter is  
10 continued in effect for that purpose.

11 SECTION 5. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2007.