

By: Turner

H.B. No. 2871

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation and administration of the chemical
3 dependency counselor undergraduate and graduate education
4 scholarship program.

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

6 SECTION 1. Chapter 61, Education Code, is amended by adding
7 Subchapter FF to read as follows:

8 SUBCHAPTER FF. CHEMICAL DEPENDENCY COUNSELOR

9 UNDERGRADUATE AND GRADUATE EDUCATION SCHOLARSHIP PROGRAM

10 Sec. 61.9831. DEFINITIONS. In this subchapter:

11 (1) "Chemical dependency counseling" and "chemical
12 dependency counselor" have the meanings assigned by Section
13 504.001, Occupations Code.

14 (2) "Licensed professional counselor" has the meaning
15 assigned by Section 503.002, Occupations Code.

16 (3) "Secure correctional facility" means:

17 (A) a county jail in this state; or

18 (B) a confinement facility operated by or under
19 contract with:

20 (i) any division of the Texas Department of
21 Criminal Justice; or

22 (ii) the Texas Youth Commission.

23 (4) "Social worker" has the meaning assigned by
24 Section 505.002, Occupations Code.

1 Sec. 61.9832. SCHOLARSHIP PROGRAM; AMOUNT OF SCHOLARSHIP.

2 (a) In accordance with this subchapter and board rules, the board
3 shall establish and administer a program to award scholarships to
4 undergraduate and graduate students who:

5 (1) are enrolled at public or private institutions of
6 higher education in this state in degree programs that qualify the
7 students to obtain licensure as chemical dependency counselors,
8 licensed professional counselors, or social workers; and

9 (2) agree to be employed for a specified period to
10 provide chemical dependency counseling at a secure correctional
11 facility.

12 (b) The amount of a scholarship under this subchapter for an
13 academic year is equal to the total amount of tuition and mandatory
14 fees that the public or private institution of higher education in
15 which the scholarship recipient is enrolled charges the recipient
16 for that academic year for semester credit hours for which the
17 recipient may use the scholarship as provided by Subsection (c).

18 (c) A student may use a scholarship under this subchapter
19 only to pay tuition and mandatory fees for a semester credit hour
20 that is required for completion of the degree program in which the
21 student is enrolled.

22 Sec. 61.9833. ELIGIBILITY. (a) To be eligible to receive
23 a scholarship under this subchapter, a person must:

24 (1) be enrolled at a public or private institution of
25 higher education in this state in an undergraduate or graduate
26 degree program that qualifies the student to obtain licensure as a
27 chemical dependency counselor, licensed professional counselor, or

1 social worker; and

2 (2) enter into an agreement with the board as provided
3 by Section 61.9834.

4 (b) If in any year the amount of money available for
5 scholarships under this subchapter is insufficient to award a
6 scholarship to each eligible applicant or if there are more
7 eligible applicants than the number of scholarships authorized by
8 this section, the board shall establish criteria to determine which
9 eligible applicants will be granted scholarships as the board
10 determines appropriate to further the purposes of this subchapter,
11 including criteria related to the financial need of an applicant.

12 Sec. 61.9834. AGREEMENT REQUIREMENTS. (a) To qualify for a
13 scholarship under this subchapter, a person must enter into a
14 written agreement with the board as provided by this section. The
15 agreement must:

16 (1) specify the conditions the person must satisfy to
17 receive the initial scholarship award;

18 (2) require the person to earn at a public or private
19 institution of higher education in this state a baccalaureate,
20 master's, or doctoral degree, as applicable, that qualifies the
21 person to obtain licensure as a chemical dependency counselor,
22 licensed professional counselor, or social worker;

23 (3) require the person to obtain, within the period
24 prescribed by board rule, appropriate licensure to be employed in
25 this state, as applicable:

26 (A) as a chemical dependency counselor;

27 (B) as a licensed professional counselor; or

1 (C) as a social worker;

2 (4) require the person to accept, not later than the
3 first anniversary of the date the person obtains the appropriate
4 licensure, an offer of full-time employment providing chemical
5 dependency counseling at a secure correctional facility;

6 (5) beginning on the date the person first becomes
7 employed as described by Subdivision (4), require the person to
8 complete four consecutive years of full-time employment providing
9 chemical dependency counseling at a secure correctional facility;

10 (6) provide that any scholarship award the person
11 receives under this subchapter constitutes a loan until the person:

12 (A) subject to Section 61.9835, satisfies the
13 requirements of Subdivision (5) and any other applicable conditions
14 of the agreement; or

15 (B) is excused from the repayment obligation in
16 accordance with law; and

17 (7) require the person to sign a promissory note
18 acknowledging the conditional nature of the scholarship award
19 received and promising to repay the full amount of that assistance
20 plus applicable interest and reasonable collection costs if the
21 person does not satisfy the applicable conditions and is not
22 excused from the repayment obligation in accordance with law.

23 (b) The board shall determine the terms of the promissory
24 note required by Subsection (a)(7). To the extent practicable, the
25 terms must be the same as those applicable to state or federally
26 guaranteed student loans made at the same time.

27 Sec. 61.9835. EXCEPTIONS TO EMPLOYMENT OBLIGATION. (a) A

1 person is not considered to be in violation of the employment
2 obligation in the agreement described by Section 61.9834 during any
3 period in which the person:

4 (1) is pursuing a full-time course of study:

5 (A) related to the field of chemical dependency
6 counseling;

7 (B) offered by a public or private institution of
8 higher education in this state; and

9 (C) approved by the appropriate licensing
10 authority;

11 (2) is serving on active duty as a member of the armed
12 forces of the United States, including as a member of a reserve
13 force or National Guard called to active duty;

14 (3) is temporarily totally disabled for a period not
15 to exceed 36 months as established by the affidavit of a qualified
16 physician;

17 (4) is unable to secure employment for a period not to
18 exceed 12 months because of care required by a disabled spouse or
19 child;

20 (5) is seeking and unable to find, for a single period
21 not to exceed 12 months, full-time employment providing chemical
22 dependency counseling at a secure correctional facility; or

23 (6) satisfies the provisions of any other employment
24 exception adopted by the board.

25 (b) A person is excused from the repayment obligation in a
26 promissory note described by Section 61.9834 if:

27 (1) the person becomes permanently totally disabled as

1 established by the affidavit of a qualified physician; or

2 (2) the board waives repayment in the case of extreme
3 hardship to the person.

4 Sec. 61.9836. GRANTS, GIFTS, AND DONATIONS. In addition to
5 money appropriated by the legislature, the board may solicit and
6 accept grants, gifts, and donations from any public or private
7 source for the purposes of this subchapter.

8 Sec. 61.9837. RULES. (a) The board shall adopt rules to
9 administer this subchapter, including rules:

10 (1) providing for the manner in which a student may
11 apply for a scholarship; and

12 (2) providing for notification of the scholarship
13 program under this subchapter to students enrolled at a public or
14 private institution of higher education in this state in a program
15 described by Section 61.9833(a)(1).

16 (b) The board shall distribute a copy of the rules adopted
17 under this section to each public or private institution of higher
18 education in this state with a degree program described by Section
19 61.9833(a)(1).

20 SECTION 2. Not later than December 31, 2007, the Texas
21 Higher Education Coordinating Board shall adopt rules for the
22 chemical dependency counselor undergraduate and graduate education
23 scholarship program under Subchapter FF, Chapter 61, Education
24 Code, as added by this Act.

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

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