

By: Smith of Tarrant

H.B. No. 3824

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the tuition charged to students of institutions of
3 higher education.

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

5 SECTION 1. Section 54.008, Education Code, is amended to
6 read as follows:

7 Sec. 54.008. TUITION RATE SET BY GOVERNING BOARD. The
8 governing board of an institution of higher education shall set
9 tuition for the institution as provided by Subchapter B of this
10 chapter [~~(a) The tuition rates provided by Subchapter B of this~~
11 ~~chapter are minimum rates. Except as provided by Subsections (c),~~
12 ~~(f), and (g), the governing board of each institution of higher~~
13 ~~education shall set tuition for graduate programs for that~~
14 ~~institution at a rate that is at least equal to that prescribed by~~
15 ~~Subchapter B, but that is not more than twice the rate prescribed by~~
16 ~~Subchapter B. Between the maximum and minimum rates, the board may~~
17 ~~set the differential tuition among programs offered by an~~
18 ~~institution of higher education].~~

19 [~~(b) The governing board of a university system is not~~
20 ~~required to set uniform tuition rates for graduate programs among~~
21 ~~the component institutions of the system.~~

22 [~~(c) The limit on tuition rates provided by Subsection (a)~~
23 ~~of this section does not apply to tuition at a public junior~~
24 ~~college.~~

1 ~~[(d) The difference between the minimum rate prescribed by~~
2 ~~Subchapter B of this chapter and that set by the governing board of~~
3 ~~an institution of higher education for an institution shall not be~~
4 ~~accounted for in an appropriations act in such a way as to reduce~~
5 ~~the general revenue appropriations to that institution.]~~

6 ~~[(e) The governing board of an institution of higher~~
7 ~~education shall set tuition for an optometry program at the~~
8 ~~institution at a rate that is at least equal to the rate prescribed~~
9 ~~by Subchapter B of this chapter but not more than four times the~~
10 ~~rate prescribed by Subchapter B of this chapter.]~~

11 ~~[(f) The governing board of an institution of higher~~
12 ~~education shall set tuition for an undergraduate pharmacy program~~
13 ~~at the institution at a rate that is at least equal to the rate~~
14 ~~prescribed by Subchapter B but not more than twice the rate~~
15 ~~prescribed by Subchapter B. The governing board of an institution~~
16 ~~of higher education shall set tuition for a graduate or~~
17 ~~professional pharmacy program at the institution at a rate that is~~
18 ~~at least equal to the rate prescribed by Subchapter B but not more~~
19 ~~than three times the rate prescribed by Subchapter B.]~~

20 ~~[(g) The governing board of an institution of higher~~
21 ~~education shall set tuition for a law school at the institution at a~~
22 ~~rate that is at least equal to the rate prescribed by Subchapter B~~
23 ~~but not more than three times the rate prescribed by Subchapter B.]~~

24 SECTION 2. Section 54.051, Education Code, is amended to
25 read as follows:

26 Sec. 54.051. TUITION RATES. (a) In this section:

27 (1) "Coordinating board" means the Texas Higher

1 Education Coordinating Board.

2 (2) "General academic teaching institution,"
3 "institution of higher education," and public junior college have
4 ~~has~~ the meanings assigned by Section 61.003~~(3)~~ of this code.

5 (3) "Tuition and required fees" includes tuition,
6 service fees, lab fees, building use fees, and all other required
7 fees except room, board, or clothing fees or deposits in the nature
8 of security for their return or proper care of property. ["Medical
9 and dental unit" has the meaning assigned by Section 61.003 of this
10 code.]

11 ~~[(4) "Public junior college" has the meaning assigned~~
12 ~~by Section 61.003(2) of this code.]~~

13 (b) Except as provided by Subsections (c), (d), and (f), the
14 ~~[The]~~ governing board of each institution of higher education and
15 of the Texas State Technical College System shall cause to be
16 collected from students registering at the institution tuition or
17 registration fees in the amount and under the terms the governing
18 board considers necessary for the effective operation of the
19 institution ~~[at the rates prescribed in this section].~~

20 (c) A general academic teaching institution may not charge
21 an undergraduate student attending the institution who is entitled
22 to pay the tuition, fees, and other fees or charges provided for
23 Texas residents an amount of tuition and required fees, minus
24 financial assistance other than loans, that exceeds five percent of
25 the gross family income of the student. A general academic teaching
26 institution may use available sources of financial aid, other than
27 loans, to cover any difference in the actual amount of tuition and

1 required fees at the institution and an amount equivalent to five
2 percent of the gross family income of a student. The coordinating
3 board shall adopt guidelines for determinations of the total
4 projected cost of tuition and required fees and for determinations
5 of the gross family income of students [~~Unless a different rate is~~
6 ~~specified by this section, tuition for a resident student at a~~
7 ~~general academic teaching institution is \$50 per semester credit~~
8 ~~hour].~~

9 [~~(d) Unless a different rate is specified by this section,~~
10 ~~tuition for a nonresident student at a general academic teaching~~
11 ~~institution or medical and dental unit is an amount per semester~~
12 ~~credit hour equal to the average of the nonresident undergraduate~~
13 ~~tuition charged to a resident of this state at a public state~~
14 ~~university in each of the five most populous states other than this~~
15 ~~state, as computed by the coordinating board under this subsection.~~
16 ~~The coordinating board shall set the tuition rate provided by this~~
17 ~~subsection for each academic year and report that rate to each~~
18 ~~appropriate institution not later than January 1 of the calendar~~
19 ~~year in which the academic year begins, or as soon after that~~
20 ~~January 1 as practicable. In computing the tuition rate, the~~
21 ~~coordinating board shall use the nonresident tuition rates for the~~
22 ~~other states in effect for the academic year in progress when the~~
23 ~~board makes the computation.]~~

24 [~~(e) Tuition for a resident student registered only for~~
25 ~~thesis or dissertation credit that is the final credit hour~~
26 ~~requirement for the degree in progress is determined by the~~
27 ~~governing board of the institution in which the student is~~

1 enrolled.]

2 ~~[(f) Tuition for a resident student enrolled in a program~~
3 ~~leading to an M.D. or D.O. degree is \$6,550 per academic year.~~
4 ~~Tuition for a nonresident student enrolled in a program leading to~~
5 ~~an M.D. or D.O. degree is an amount per year equal to three times the~~
6 ~~rate that a resident student enrolled in a program leading to an~~
7 ~~M.D. or D.O. degree would pay during the corresponding academic~~
8 ~~year.~~

9 ~~[(g) Tuition for a resident student enrolled in a program~~
10 ~~leading to a D.D.S. degree is \$5,400 per academic year. Tuition for~~
11 ~~a nonresident student enrolled in program leading to a D.D.S.~~
12 ~~degree is an amount per year equal to three times the rate that a~~
13 ~~resident student enrolled in a program leading to a D.D.S. degree~~
14 ~~would pay during the corresponding academic year.~~

15 ~~[(h) Tuition for a resident student enrolled in a program~~
16 ~~leading to a D.V.M. degree is \$5,400 per academic year. Tuition for~~
17 ~~a nonresident student enrolled in a program leading to a D.V.M.~~
18 ~~degree is an amount per year equal to three times the rate that a~~
19 ~~resident student enrolled in a program leading to a D.V.M. degree~~
20 ~~would pay during the corresponding academic year.~~

21 ~~[(i) Tuition for a resident student registered at a law~~
22 ~~school is \$80 per semester credit hour. Tuition for a nonresident~~
23 ~~student registered at a law school is the amount that can be charged~~
24 ~~a nonresident graduate student under Subsection (d) and Section~~
25 ~~54.008.~~

26 ~~[(j) Tuition for a student registered in a program leading~~
27 ~~to a degree in nursing or in an allied health profession is the same~~

1 ~~as for students with the same residency registered at a general~~
2 ~~academic teaching institution.~~

3 ~~[(k)]~~ (d) Tuition for a resident student registered at the
4 Texas State Technical College System is the greater of \$50 or an
5 amount set by the governing board of the system at not less than \$16
6 per semester credit hour. Tuition for a nonresident student
7 registered at the Texas State Technical College System is an amount
8 set by the governing board of the system at not less than \$80 per
9 semester credit hour.

10 ~~[(l)]~~ ~~Resident students or nonresident students registered~~
11 ~~for a course or courses in art, architecture, drama, speech, or~~
12 ~~music, where individual coaching or instruction is the usual method~~
13 ~~of instruction, shall pay a fee, in addition to the regular tuition,~~
14 ~~set by the governing board of the institution.~~

15 ~~[(m)]~~ (e) Unless the student establishes residency or is
16 entitled or permitted to pay resident tuition as provided by this
17 subchapter, tuition for a student who is a citizen of any country
18 other than the United States of America is the same as the tuition
19 required of other nonresident students.

20 ~~[(n)]~~ (f) Tuition for a resident student registered in a
21 public junior college is determined by the governing board of each
22 institution, but the tuition may not be less than \$8 for each
23 semester credit hour and may not total less than \$25 for a semester.
24 Tuition for a nonresident student is determined by the governing
25 board of each institution but the tuition may not be less than \$200
26 for each semester.

27 SECTION 3. The changes in law made by this Act apply

1 beginning with tuition and fees charged by an institution of higher
2 education for the 2007 fall semester.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2007.