

By: Hinojosa

S.B. No. 85

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a moratorium and other limitations on increases in
3 designated tuition charged by public institutions of higher
4 education.

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

6 SECTION 1. Section 54.0513, Education Code, is amended by
7 adding Subsections (g), (h), and (i) to read as follows:

8 (g) The amount of tuition charged to a student under this
9 section may not exceed by more than five percent the total amount of
10 tuition that the institution would have charged under this section
11 to a similarly situated student in the preceding academic year. If,
12 in an academic year, a governing board charges a student under this
13 section an amount of tuition that exceeds the total amount of
14 tuition that the institution would have charged under this section
15 to a similarly situated student in the preceding academic year, the
16 governing board may not again raise the amount of the student's
17 tuition under this section for all or any part of the current
18 academic year. For purposes of this subsection, students are
19 similarly situated if they share the same residency status, degree
20 program, course load, course level, tuition exemption status, and
21 other circumstances affecting the tuition charged to the student.
22 The Texas Higher Education Coordinating Board may adopt rules as
23 necessary to administer this subsection.

24 (h) Notwithstanding Subsection (g), for the 2007-2008

1 academic year, the 2008-2009 academic year, and the 2009-2010
2 academic year, the amount of tuition charged to a student under this
3 section may not exceed the total amount of tuition that the
4 institution would have charged under this section to a similarly
5 situated student in the 2006-2007 academic year. For purposes of
6 this subsection, students are similarly situated if they share the
7 same residency status, degree program, course load, course level,
8 tuition exemption status, and other circumstances affecting the
9 tuition charged to the student. The Texas Higher Education
10 Coordinating Board may adopt rules as necessary to administer this
11 subsection. This subsection expires September 1, 2010.

12 (i) If a student has paid an amount of tuition charged under
13 this section for the 2007 fall semester in excess of the maximum
14 amount permitted by this section, the institution, not later than
15 January 1, 2008, shall refund to the student the excess amount of
16 tuition paid. This subsection expires September 1, 2008.

17 SECTION 2. 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.