

By: Ellis

S.B. No. 578

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on increases in the total amount of tuition charged by public institutions of higher education.

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

SECTION 1. Subchapter B, Chapter 54, Education Code, is amended by adding Section 54.0514 to read as follows:

Sec. 54.0514. LIMITATION ON INCREASE IN TOTAL AMOUNT OF TUITION. (a) In this section, "tuition" includes:

(1) tuition for which the rates are prescribed by this chapter; and

(2) tuition charged by an institution of higher education under Section 54.0513 or another law authorizing an institution to establish tuition rates.

(b) The total amount of tuition charged by an institution of higher education to a student may not exceed the total amount of tuition that the institution would have charged to a similarly situated student in the preceding academic year by more than five percent. For purposes of this subsection, students are similarly situated if they share the same residency status, degree program, course load, course level, tuition exemption status, and other circumstances affecting the tuition charged to the student. This subsection does not ensure that the total amount of tuition charged to an individual student does not increase by more than five percent based on a change in the student's residency status, degree

1 program, course load, course level, tuition exemption status, or
2 other circumstance affecting the tuition charged to the student.

3 (c) The Texas Higher Education Coordinating Board may adopt
4 rules as necessary to administer this section.

5 (d) In addition to the limitation on tuition increases
6 provided by Subsection (b), the total amount of tuition charged by
7 an institution of higher education to a student for the 2007-2008
8 academic year may not be more than five percent higher than the
9 total amount of tuition charged for the 2004-2005 academic year to a
10 similarly situated student as determined under Subsection (b).

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

16 SECTION 2. This Act applies beginning with tuition charged
17 by public institutions of higher education for the 2007-2008
18 academic year.

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