

By: Ellis

S.B. No. 2006

A BILL TO BE ENTITLED

AN ACT

relating to admissions to public law schools in this state.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.970 to read as follows:

Sec. 51.970. LAW SCHOOL ADMISSIONS. (a) This section applies only to an institution of higher education, as defined by Section 61.003, offering a professional law degree program with respect to which the institution:

(1) restricts the number of applicants admitted to the program for an academic year; and

(2) for the academic year described by Subdivision (1), denies admission to the program to one or more applicants who:

(A) are residents of this state under Subchapter B, Chapter 54; and

(B) based on their applications reasonably demonstrate that they are likely to be capable of performing the quality of work necessary to obtain a law degree under the program.

(b) For an academic year for which the institution denies program admission to an applicant described by Subsection (a)(2), and regardless of whether a nonresident applicant who enrolls as described by this subsection will pay tuition and fees at resident rates, an institution of higher education to which this section applies may not enroll in the institution's professional law degree

1 program a number of applicants who are not residents of this state  
2 under Subchapter B, Chapter 54, that exceeds 10 percent of the total  
3 enrollment in the program during that academic year, except as  
4 provided by Subsection (c).

5 (c) The institution may enroll in the institution's  
6 professional law degree program in an academic year a number of  
7 nonresident applicants in a greater percentage than otherwise  
8 permitted by Subsection (b), not to exceed 35 percent of the total  
9 enrollment in the program for the academic year, if the nonresident  
10 students enrolled in the program in excess of the percentage  
11 permitted by Subsection (b) are admitted to the program based  
12 solely on academic merit.

13 (d) Notwithstanding any other law, the Texas Higher  
14 Education Coordinating Board in the formulas established under  
15 Section 61.059 for an institution of higher education to which this  
16 section applies may not include funding based on the enrollment of a  
17 nonresident student in the institution's professional law degree  
18 program in violation of this section.

19 SECTION 2. Section 51.970, Education Code, as added by this  
20 Act, applies beginning with admissions for the 2008-2009 academic  
21 year.

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