

SENATE AMENDMENTS

2nd Printing

By: Truitt

H.B. No. 2702

A BILL TO BE ENTITLED

AN ACT

relating to the exemption from tuition and fees at a public institution of higher education for adopted students.

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

SECTION 1. Section 54.2111(a), Education Code, is amended to read as follows:

(a) A student is exempt from the payment of tuition and fees authorized by this chapter if the student:

(1) was adopted; and

(2) was the subject of an adoption assistance agreement under Subchapter D, Chapter 162, Family Code, that:

(A) provided monthly payments and medical assistance benefits; and

(B) was not limited to providing only for the reimbursement of nonrecurring expenses, including reasonable and necessary adoption fees, court costs, attorney's fees, and other expenses directly related to the legal adoption of the child.

SECTION 2. (a) Except as provided by Subsection (b) of this section, the change in law made by this Act applies beginning with tuition and fees charged at a public institution of higher education for the 2007 fall semester. Tuition and fees charged for an academic period before the 2007 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

1 (b) The change in law made by this Act does not apply to a
2 student who was enrolled in a public institution of higher
3 education and qualified for an exemption from tuition and fees
4 under Section 54.2111(a), Education Code, for any academic term of
5 the 2006-2007 academic year. A student described by this
6 subsection is entitled to an exemption from tuition and fees under
7 Section 54.2111(a), Education Code, as that section existed
8 immediately before the effective date of this Act, until the
9 earlier of:

10 (1) the date the student completes the degree program
11 in which the student was last enrolled in the 2006-2007 academic
12 year or another degree program of the same level; or

13 (2) the fourth anniversary of the date the student
14 initially enrolled in the degree program in which the student was
15 last enrolled in the 2006-2007 academic year.

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

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 23 2007

BY:

Atay Spaw
Secretary of the Senate

J. Patrick

1 Amend H.B. No. 2702 (Senate Committee Printing) as follows:

2 (1) Add the following appropriately numbered SECTION to
3 the bill and renumber subsequent SECTIONS of the bill
4 accordingly:

5 SECTION _____. (a) Section 162.304, Family Code, is
6 amended by adding Subsections (b-1), (b-2), and (g) to read as
7 follows:

8 (b-1) The department shall pay a \$150 subsidy each month
9 for the premiums for health benefits coverage for a child with
10 respect to whom a court has entered a final order of adoption if
11 the child:

12 (1) was in the conservatorship of the department at
13 the time of the child's adoptive placement;

14 (2) after the adoption, is not eligible for medical
15 assistance under Chapter 32, Human Resources Code; and

16 (3) is younger than 18 years of age.

17 (b-2) The executive commissioner of the Health and Human
18 Services Commission shall adopt rules necessary to implement
19 Subsection (b-1), including rules that:

20 (1) limit eligibility for the subsidy under that
21 subsection to a child whose adoptive family income is less than
22 300 percent of the federal poverty level;

23 (2) provide for the manner in which the department
24 shall pay the subsidy under that subsection; and

25 (3) specify any documentation required to be provided
26 by an adoptive parent as proof that the subsidy is used to
27 obtain and maintain health benefits coverage for the adopted
28 child.

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1 (g) A child for whom a subsidy is provided under
2 Subsection (b-1) for premiums for health benefits coverage and
3 who does not receive any other subsidy under this section is not
4 considered to be the subject of an adoption assistance agreement
5 for any other purpose, including for determining eligibility for
6 the exemption from payment of tuition and fees for higher
7 education under Section 54.2111, Education Code.

8 (b) The change in law made by this section to Section
9 162.304, Family Code, applies only to financial and medical
10 assistance available under Section 162.304, Family Code, as
11 amended by this section, for a child for whom a final order of
12 adoption is entered on or after the effective date of this
13 section. Financial and medical assistance for a child for whom
14 a final order of adoption is entered before the effective date
15 of this section is governed by the law in effect on the date the
16 order was entered, and the former law is continued in effect for
17 that purpose.

18 (c) This section takes effect September 1, 2007.

19 (2) In SECTION 3 of the bill (page 1, line 47), strike
20 "This Act" and substitute "Except as otherwise provided by this
21 Act, this Act".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 15, 2007

TO: Honorable Judith Zaffirini, Chair, Senate Committee on S/C on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2702 by Truitt (Relating to the exemption from tuition and fees at a public institution of higher education for adopted students.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill relates to the exemption from tuition and fees at a public institution of higher education for adopted students. There would be no impact to the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of, 781 Higher Education Coordinating Board, 720 The University of Texas System Administration

LBB Staff: JOB, MN, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 3, 2007

TO: Honorable Geanie Morrison, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2702 by Truitt (Relating to the exemption from tuition and fees at a public institution of higher education for adopted students.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill relates to the exemption from tuition and fees at a public institution of higher education for adopted students. There would be no impact to the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of, 781 Higher Education Coordinating Board, 720 The University of Texas System Administration

LBB Staff: JOB, MN, RT, GO

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 13, 2007

TO: Honorable Geanie Morrison, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2702 by Truitt (Relating to the exemption from tuition and fees at a public institution of higher education for adopted students.), **As Introduced**

No fiscal implication to the State is anticipated.

Under provisions of the bill, a student is not eligible for the tuition exemption authorized by Section 54.2111(a) of the Education Code if the student's most recent adoption was an international adoption. There would be no fiscal impact to the State as the Department of Protective and Regulatory Services, which administers the adoption program through which students gain eligibility for this exemption, do not work with international adoptions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 720 The University of Texas System Administration, 781 Higher Education Coordinating Board

LBB Staff: JOB, MN, RT, GO