

## **BILL ANALYSIS**

C.S.H.B. 4244  
By: Hochberg  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the State of Texas requires a public institution of higher education to charge in-state tuition to a nonresident who holds a competitive scholarship of \$1,000 or more. While the tuition adjustment has been helpful to nonresident students and the university departments that recruit them, during the 2008 fiscal year Texas universities had to forgo nearly \$96 million dollars in tuition because of such requirement.

C.S.H.B. 4244 permits institutions to make this adjustment at their discretion thereby potentially saving the institution money. The bill will allow students currently paying Texas tuition under this provision to continue doing so as long the student remains enrolled in the same certificate or degree program, and continues to receive qualifying scholarships.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4244 amends the Education Code to authorize an institution of higher education to charge a nonresident student who holds a competitive scholarship of at least \$1,000 for the academic year or summer term for which the student is enrolled resident tuition and fees, rather than entitling a student who holds such a scholarship and who is either a nonresident or a noncitizen to pay those in-state resident fees and charges. The bill adds a temporary provision, set to expire August 1, 2014, to entitle a student who would be entitled to pay resident tuition in the 2009-2010 academic year under the provision entitling nonresident and noncitizen scholarship students to pay fees and charges at in-state resident rates as the provision existed on January 1, 2009, because the student is awarded a competitive scholarship of at least \$1,000 for that academic year before the beginning of the 2009 fall semester to continue to pay resident tuition under such provision as the provision existed on January 1, 2009, in each semester or other term in which the student is awarded such a scholarship, as long as the student remains enrolled in the same certificate or degree program. The bill also makes technical and conforming changes to existing code.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 4244 removes statutory language making the existing provision applicable to a citizen of a country other than the United States as well as to a nonresident student, whereas the original retains that statutory language.

C.S.H.B. 4244 differs from the original by specifying that a student is entitled to continue paying resident tuition, if they were entitled to pay resident tuition in 2009-2010 under this section because they are awarded a qualifying competitive scholarship prior to the fall 2009 semester. The substitute adds a provision specifying that the student is entitled to continue paying resident

tuition under such provision only in each semester or other term in which the student is awarded a qualifying scholarship.

C.S.H.B. 4244 also makes technical corrections not in the original.