

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4244
By: Hochberg (Zaffirini)
Higher Education
5/20/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, institutions of higher education must offer in-state tuition to out-of-state students who receive a competitive scholarship of \$1,000 or more. This amounted to over \$51 million in waived tuition in fiscal year 2008.

This bill changes the waiver that currently requires institutions of higher education to offer in-state tuition to out-of-state students who receive a competitive scholarship of \$1,000 by making it optional, rather than mandatory.

C.S.H.B. 4244 amends current law relating to certain competitive scholarship recipients at public institutions of higher education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.969(c), Education Code, as added by Chapter 422 (S.B. 1325), Acts of the 80th Legislature, Regular Session, 2007, to require a person, rather than a person applying for a scholarship, before receiving a scholarship originating from and administered by an institution of higher education or university system, to file a written statement with the institution or system, rather than with the application, indicating whether the person is related within a certain degree to a current member of the governing board of the institution or system.

SECTION 2. Amends Section 54.064, Education Code, by amending Subsection (a) and adding Subsections (c) and (d), as follows:

(a) Authorizes 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 without regard to the length of time the student has resided in Texas. Deletes existing text entitling a student who holds a competitive scholarship of at least \$1,000 for the academic year or summer for which the student is enrolled and who is either a nonresident or a citizen of a country other than the United States of America to pay the fees and charges required of Texas residents without regard to the length of time the student has resided in Texas. Makes a nonsubstantive change.

(c) Entitles a student who would be entitled to pay resident tuition in the 2009-2010 academic year under this section as this section existed on January 1, 2009, because the student is awarded a competitive scholarship for that academic year in the amount prescribed by Subsection (a) before the beginning of the 2009 fall semester to continue to pay resident tuition under this section as this section 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. Provides that this subsection expires August 1, 2014.

(d) Prohibits the difference between tuition charged to the student under this section and the tuition the student would be charged if this section did not apply to the student from

being accounted for in such a way as to reduce the general revenue appropriation to an institution of higher education that charges a nonresident student resident tuition and fees under this section.

SECTION 2. Effective date: upon passage or September 1, 2009.