

AN ACT

relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.

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

SECTION 1. Section 54.208, Education Code, is amended to read as follows:

Sec. 54.208. FIREFIGHTERS [~~FIREMEN~~] ENROLLED IN FIRE SCIENCE COURSES. (a) The governing board of an institution of higher education [~~boards of the state institutions of collegiate rank supported in whole or in part by public funds~~] shall exempt from the payment of tuition and laboratory fees any student enrolled in one or more courses offered as part of a fire science curriculum who:

(1) [~~person who~~] is employed as a firefighter [~~fireman~~] by a [~~any~~] political subdivision of this [~~the~~] state; or

(2) is currently, and has been for at least one year, an active member of an organized volunteer fire department in this state, as defined by the fire fighters' pension commissioner, who holds:

(A) an Accredited Advanced level of certification, or an equivalent successor certification, under the State Firemen's and Fire Marshals' Association of Texas volunteer certification program; or

1 (B) Phase V (Firefighter II) certification, or an
2 equivalent successor certification, under the Texas Commission on
3 Fire Protection's voluntary certification program under Section
4 419.071, Government Code ~~[and who enrolls in a course or courses~~
5 ~~offered as part of a fire science curriculum]~~.

6 (b) An ~~[The]~~ exemption provided under this section does not
7 apply to deposits that ~~[which]~~ may be required in the nature of
8 security for the return or proper care of property loaned for the
9 use of students.

10 (c) Notwithstanding Subsection (a), a student who for a
11 semester or term at an institution of higher education receives an
12 exemption under this section may continue to receive the exemption
13 for a subsequent semester or term at any institution only if the
14 student makes satisfactory academic progress toward a degree or
15 certificate at that institution as determined by the institution
16 for purposes of financial aid.

17 (d) Notwithstanding Subsection (a), the exemption provided
18 under this section does not apply to any amount of additional
19 tuition the institution elects to charge a resident undergraduate
20 student under Section 54.014(a) or (f).

21 (e) Notwithstanding Subsection (a), the exemption provided
22 under this section does not apply to any amount of tuition the
23 institution charges a graduate student in excess of the amount of
24 tuition charged to similarly situated graduate students because the
25 student has a number of semester credit hours of doctoral work in
26 excess of the applicable number provided by Section 61.059(1)(1) or
27 (2).

1 (f) The Texas Higher Education Coordinating Board shall
2 adopt:

3 (1) rules governing the granting or denial of an
4 exemption under this section, including rules relating to the
5 determination of a student's eligibility for an exemption; and

6 (2) a uniform listing of degree programs covered by
7 the exemption under this section.

8 SECTION 2. A student who received an exemption under
9 Section 54.208, Education Code, before the 2009 fall semester may
10 continue to receive the exemption under the provisions of that
11 section as it existed immediately before the effective date of this
12 Act as long as the student remains enrolled in the same degree or
13 certificate program and is otherwise eligible to continue to
14 receive the exemption under that former law.

15 SECTION 3. The changes in law made by this Act to Section
16 54.208, Education Code, apply beginning with tuition and laboratory
17 fees charged for the 2009 fall semester. Tuition and laboratory
18 fees charged for an academic period before the 2009 fall semester
19 are covered by the law in effect immediately before the effective
20 date of this Act, and the former law is continued in effect for that
21 purpose.

22 SECTION 4. 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, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2013 was passed by the House on May 11, 2009, by the following vote: Yeas 125, Nays 20, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2013 on May 29, 2009, by the following vote: Yeas 138, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2013 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor