

By: McCall

H.B. No. 2440

A BILL TO BE ENTITLED

AN ACT

relating to scholarships for fifth-year accounting students.

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

SECTION 1. Section 901.155, Occupations Code, is amended to read as follows:

Sec. 901.155. SCHOLARSHIP TRUST FUND ACCOUNT FOR FIFTH-YEAR ACCOUNTING STUDENTS. (a) The fee for the issuance or renewal of a license under this chapter is the amount of the fee set by the board under Section 901.154 together with the fee increase imposed under Section 901.406 and an additional \$10 annual [~~\$20~~] fee to be deposited to the credit of the scholarship trust fund account for fifth-year accounting students in the general revenue fund.

(b) The scholarship trust fund account for fifth-year accounting students may be used only to:

(1) provide scholarships under Subchapter N [~~Chapter 61, Education Code~~] to accounting students in the fifth year of a program designed to qualify each student to apply for certification as a certified public accountant; and

(2) pay administrative costs under Subsection (c).

(c) The administrative costs incurred to collect the fee imposed under Subsection (a) and to disburse the money may not exceed 10 [~~15~~] percent of the total money collected [~~with 10 percent of the money allocated to the Texas Higher Education Coordinating Board and five percent of the money allocated to the~~

1 board].

2 (d) Notwithstanding Section 404.071, Government Code,  
3 interest earned on amounts in the scholarship trust fund account  
4 for fifth-year accounting students shall be credited to that  
5 account.

6 SECTION 2. Subchapter N, Chapter 61, Education Code, is  
7 transferred to Chapter 901, Occupations Code, designated as  
8 Subchapter N, Chapter 901, Occupations Code, and amended to read as  
9 follows:

10 SUBCHAPTER N. SCHOLARSHIPS FOR FIFTH-YEAR ACCOUNTING STUDENTS

11 Sec. 901.651 [~~61.751~~]. DEFINITION. In this subchapter,  
12 "fifth-year accounting student" means a student enrolled in the  
13 additional hours of study required by Section 901.254 [~~12(e)(2)(B),~~  
14 ~~Public Accountancy Act of 1991 (Article 41a-1, Vernon's Texas Civil~~  
15 ~~Statutes)~~].

16 Sec. 901.652 [~~61.752~~]. PUBLIC PURPOSE. The scholarships  
17 required by this subchapter serve a public purpose of the state as  
18 described by Section 901.155 [~~32, Public Accountancy Act of 1991~~  
19 ~~(Article 41a-1, Vernon's Texas Civil Statutes)~~].

20 Sec. 901.653 [~~61.753~~]. SCHOLARSHIPS. The board shall  
21 establish and administer, using funds collected and appropriated  
22 for that purpose and in accordance with this subchapter and board  
23 rules, scholarships for fifth-year accounting students.

24 Sec. 901.654 [~~61.754~~]. FACTORS. (a) Scholarships shall be  
25 established and administered in a manner that the board determines  
26 best serves the public purpose of the scholarships.

27 (b) In determining what best promotes the public purpose,

1 the board shall consider at a minimum the following factors  
2 relating to each person applying for a scholarship under this  
3 section:

- 4 (1) financial need;
- 5 (2) ethnic or racial minority status; and
- 6 (3) scholastic ability and performance.

7 Sec. 901.655 [~~61.755~~]. RULES. (a) The board shall adopt  
8 rules as necessary for the administration of this subchapter.

9 (b) The board shall adopt rules relating to the  
10 establishment of the scholarships under Section 901.653 [~~61.753 of~~  
11 ~~this code~~], including rules providing eligibility criteria and the  
12 determination of the amount of each scholarship.

13 Sec. 901.656 [~~61.756~~]. SCHOLARSHIP REGULATIONS. (a) The  
14 board, in consultation with the advisory committee appointed under  
15 Section 901.657 [~~61.757~~], shall determine the maximum amount of any  
16 scholarship awarded under this subchapter. The scholarship may be  
17 spent by the recipient on the expenses for tuition, fees, books,  
18 supplies, and living expenses incurred by the student in connection  
19 with the student's fifth year of an accounting program.  
20 Scholarships shall be made available to eligible students  
21 attending:

- 22 (1) any institution of higher education; or
- 23 (2) any nonprofit independent institution approved by  
24 the Texas Higher Education Coordinating Board [~~board~~] under Section  
25 61.222, Education Code.

26 (b) The board may award a scholarship under this subchapter  
27 only to an eligible student who intends to take the written

1 examination conducted by the board [~~Texas State Board of Public~~  
2 ~~Accountancy~~] for the purpose of granting a certificate of  
3 "certified public accountant." An applicant for a scholarship  
4 under this subchapter shall state such an intent by filing a form  
5 provided by the board stating an intent to take the examination.

6 (c) A scholarship under this subchapter shall be paid to the  
7 recipient in the form of periodic partial payments throughout the  
8 school year. The board by rule shall determine the manner in which  
9 these payments are made.

10 Sec. 901.657 [~~61.757~~]. ADVISORY COMMITTEE. (a) The board  
11 shall appoint an eight-member advisory committee to advise the  
12 board concerning scholarships provided under this subchapter. The  
13 advisory committee consists of:

14 (1) a presiding officer named by the board;

15 (2) one representative named by the board [~~Texas State~~  
16 ~~Board of Public Accountancy~~];

17 (3) one representative named by the Texas Society of  
18 Certified Public Accountants;

19 (4) a Texas representative of the American Accounting  
20 Association named by that organization;

21 (5) one representative named by the National  
22 Association of Black Accountants;

23 (6) one representative named by the American  
24 Association of Hispanic Certified Public Accountants; and

25 (7) two representatives named by the Texas Higher  
26 Education Coordinating Board [~~board~~] who are the chairmen of  
27 accounting departments at Texas colleges and universities, at least

1 one of whom must be a representative of a private college or  
2 university and at least one other of whom must be a representative  
3 from a college or university that primarily serves minority  
4 students.

5 (b) The costs of participation on an advisory committee of a  
6 member representing a particular organization or agency shall be  
7 borne by that member of the organization or agency the member  
8 represents.

9 (c) In addition to any other duties assigned by the board,  
10 the advisory committee specifically shall advise the board on:

11 (1) how the scholarships provided for under this  
12 subchapter should be established and administered to best promote  
13 the public purpose of the scholarships;

14 (2) the amount of money needed to adequately fund the  
15 scholarships and the maximum amount that may be awarded in any given  
16 year to an individual student; and

17 (3) any priorities among the factors identified by  
18 Section 901.654 [~~61.754~~].

19 Sec. 901.658 [~~61.758~~]. FUNDING. The board may:

20 (1) use, in accordance with Article 8930, Revised  
21 Statutes, this subchapter, and Section 901.155 [~~32, Public~~  
22 ~~Accountancy Act of 1991 (Article 41a-1, Vernon's Texas Civil~~  
23 ~~Statutes)]], any money appropriated to it from the trust fund  
24 established under Section 901.155 [~~by that section~~]; and~~

25 (2) accept gifts, grants, and donations of real or  
26 personal property from any entity, subject to limitations or  
27 conditions set by law, for the purposes of this subchapter.

1           Sec. 901.659 [~~61.760~~]. MINORITY AND DISADVANTAGED STUDENT  
2 INTERNSHIPS. (a) The board shall adopt rules to encourage  
3 internships for minority and disadvantaged students and certified  
4 public accountant examination candidates who notify the board not  
5 later than 90 days after the date of being accepted into an  
6 accounting internship program.

7           (b) The rules adopted by the board shall include standards  
8 for appropriate recognition of an accounting firm for its efforts  
9 in training and hiring minority or disadvantaged students.

10           SECTION 3. Section 61.081, Education Code, is transferred  
11 to Subchapter N, Chapter 901, Occupations Code, as added by this  
12 Act, redesignated as Section 901.660, Occupations Code, and amended  
13 to read as follows:

14           Sec. 901.660 [~~61.081~~]. REPORT ON ACCOUNTANT SCHOLARSHIP  
15 PROGRAM. (a) Before January 15 of each odd-numbered year, the  
16 board shall report to the legislature concerning the scholarship  
17 program for fifth-year accounting students administered by the  
18 board under [~~Subchapter N, Chapter 61, of~~] this subchapter [~~code~~].

19           (b) The report expenses shall be included in the  
20 administrative costs allocated to the board under Section 901.155  
21 [~~32(e) of this code~~]. The report must include:

22           (1) the number and amount of scholarships awarded in  
23 the two calendar years preceding the year in which the report is  
24 due; and

25           (2) the number of minority students, by racial or  
26 ethnic background, who have been awarded scholarships under the  
27 program in that two-year period.

1           SECTION 4. (a) Not later than January 1, 2010, the Texas  
2 State Board of Public Accountancy shall adopt the rules required to  
3 implement Subchapter N, Chapter 901, Occupations Code, as added by  
4 this Act.

5           (b) On the effective date of this Act, the Texas Higher  
6 Education Coordinating Board shall transfer to the Texas State  
7 Board of Public Accountancy for deposit in the scholarship trust  
8 fund account established under Subchapter N, Chapter 901,  
9 Occupations Code, as added by this Act, any money appropriated to  
10 the Texas Higher Education Coordinating Board for scholarships to  
11 fifth-year accounting students under Subchapter N, Chapter 61,  
12 Education Code, as that subchapter existed before the effective  
13 date of this Act, that has not been awarded to students under that  
14 scholarship program.

15           SECTION 5. This Act takes effect September 1, 2009.