

By: Rose

H.B. No. 2637

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on the total amount of tuition and mandatory fees that a public institution of higher education may charge.

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

SECTION 1. Subchapter A, Chapter 54, Education Code, is amended by adding Section 54.016 to read as follows:

Sec. 54.016. LIMITATION ON TUITION AND MANDATORY FEES. (a)

In this section, "tuition" includes:

(1) tuition for which the rates are prescribed by this chapter; and

(2) tuition charged by an institution of higher education under Section 54.0513 or another law authorizing an institution to establish tuition rates.

(b) Notwithstanding Section 54.0513 and any other provision of this chapter, the governing board of an institution of higher education may not charge during any academic year a total amount of tuition and mandatory fees per semester credit hour that, when combined with the amount of undedicated general revenue funds appropriated to the institution for instruction and operations for that year for each semester credit hour for which a student pays tuition and mandatory fees in that year, exceeds by more than six percent the sum of the total amount of tuition and mandatory fees charged under this chapter by the institution per semester credit

1 hour during the preceding academic year and the amount of
2 undedicated general revenue funds appropriated to the institution
3 for instruction and operations for that preceding year for each
4 semester credit hour for which a student pays tuition and mandatory
5 fees in that year.

6 (c) A semester credit hour taken by a nonresident student is
7 not included in the computation under Subsection (b).

8 (d) The Texas Higher Education Coordinating Board may
9 permit an institution of higher education to increase tuition or
10 mandatory fees in excess of the limited amount prescribed with
11 respect to each semester credit hour for the tuition and fees by
12 Subsection (b) if, in the academic year for which the increase is
13 proposed, the institution adds an educational program that the
14 coordinating board determines will support one or more goals of
15 "Closing the Gaps," the state's master plan for higher education.
16 The coordinating board shall determine the amount of an increase
17 that may be permitted under this subsection as the coordinating
18 board considers reasonable to fund the educational program.

19 (e) The coordinating board may adopt rules as necessary to
20 administer this section.

21 SECTION 2. Section 54.016, Education Code, as added by this
22 Act, does not affect tuition and mandatory fees charged under
23 Chapter 54, Education Code, for a semester or term before the
24 2011-2012 academic year.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.