

AN ACT

relating to the establishment of the Texas Armed Services Scholarship.

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

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter FF to read as follows:

SUBCHAPTER FF. TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

Sec. 61.9771. SCHOLARSHIP PROGRAM; SCHOLARSHIP AMOUNT. (a)

The board shall establish and administer, in accordance with this subchapter and board rules, the Texas Armed Services Scholarship Program under which the board provides an annual conditional scholarship to a student who meets the eligibility criteria prescribed by Section 61.9772 and is appointed to receive a scholarship.

(b) The amount of a scholarship under this subchapter in an academic year is the lesser of:

(1) \$15,000; or

(2) the amount available for each scholarship from appropriations that may be used for scholarships under this subchapter for that academic year.

Sec. 61.9772. ELIGIBILITY; NOMINATION AND SELECTION. (a)

To receive an initial scholarship under this subchapter, a student must:

(1) be enrolled as a freshman in a public or private

1 institution of higher education in this state;

2 (2) enroll in and be a member in good standing of a
3 Reserve Officers' Training Corps (ROTC) program while enrolled in a
4 public or private institution of higher education in this state;

5 (3) be appointed to receive a scholarship by the
6 governor, the lieutenant governor, a state senator, or a state
7 representative; and

8 (4) enter into an agreement with the board under
9 Section 61.9773.

10 (b) In each year, the governor and the lieutenant governor
11 may each appoint two students and each state senator and each state
12 representative may appoint one student to receive an initial
13 scholarship under this subchapter.

14 (c) For a student to continue to receive a scholarship
15 awarded under this subchapter, the student must maintain
16 satisfactory academic progress as determined by the institution in
17 which the student is enrolled.

18 Sec. 61.9773. AGREEMENT REQUIREMENTS. (a) To receive a
19 scholarship under this subchapter, a student must enter into an
20 agreement with the board as provided by this section. The agreement
21 must require the student to:

22 (1) complete four years of ROTC training;

23 (2) graduate not later than five years after the date
24 the student first enrolls in a public or private institution of
25 higher education in this state;

26 (3) after graduation, enter into:

27 (A) a four-year commitment to be a member of the

1 Texas Army or Air Force National Guard; or

2 (B) a contract to serve as a commissioned officer
3 in any branch of the armed services of the United States;

4 (4) meet the physical examination requirements and all
5 other prescreening requirements of the Texas Army or Air Force
6 National Guard or the branch of the armed services with which the
7 student enters into a contract; and

8 (5) agree to repay the scholarship if the student:

9 (A) fails to maintain satisfactory academic
10 progress;

11 (B) withdraws from the scholarship program; or

12 (C) fails to fulfill a commitment or contract
13 described by Subdivision (3).

14 (b) The board shall adopt rules to exempt a student from the
15 repayment of a scholarship under an agreement entered into under
16 this section if the student is unable to meet the obligations of the
17 agreement solely as a result of physical inability.

18 Sec. 61.9774. RULES. (a) The board shall adopt rules as
19 necessary for the administration of this subchapter, including
20 rules regarding the eligibility criteria and the selection of
21 scholarship recipients.

22 (b) The board by rule shall provide that any amount paid to a
23 student by a branch of the armed services of the United States
24 during an academic year for which the student receives a
25 scholarship under this subchapter because the student is under a
26 contract with that branch shall be deducted from the amount of the
27 scholarship awarded to the student for that academic year.

1 Sec. 61.9775. LIMITATION ON SCHOLARSHIP. A person may not
2 receive a scholarship under this subchapter after earning a
3 cumulative total of 150 credit hours or after being awarded a
4 baccalaureate degree, whichever occurs first.

5 Sec. 61.9776. FUNDING. The board shall administer this
6 subchapter using available appropriations and gifts, grants, and
7 donations made for the purposes of this subchapter.

8 SECTION 2. The Texas Higher Education Coordinating Board
9 shall award scholarships under Subchapter FF, Chapter 61, Education
10 Code, as added by this Act, beginning with the 2010-2011 academic
11 year. The coordinating board shall adopt the rules required by that
12 subchapter as soon as practicable after this Act takes effect.

13 SECTION 3. This Act does not make an appropriation. A
14 provision in this Act that creates a new governmental program,
15 creates a new entitlement, or imposes a new duty on a governmental
16 entity is not mandatory during a fiscal period for which the
17 legislature has not made a specific appropriation to implement the
18 provision.

19 SECTION 4. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3452 was passed by the House on May 13, 2009, by the following vote: Yeas 145, Nays 1, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3452 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3452 on May 31, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 3452

I certify that H.B. No. 3452 was passed by the Senate, with amendments, on May 23, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3452 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor