

By: Turner of Tarrant

H.B. No. 3952

A BILL TO BE ENTITLED

AN ACT

relating to tuition and fee exemptions at public institutions of higher education for the spouses of certain military personnel.

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

SECTION 1. Section 54.203, Education Code, is amended by adding Subsection (a-1) and amending Subsections (b-1), (g), and (h) to read as follows:

(a-1) The exemptions provided for in Subsection (a) also apply to the spouse of:

(1) a member of the armed forces of the United States:

(A) who was killed in action;

(B) who died while in service;

(C) who is missing in action;

(D) whose death is documented to be directly caused by illness or injury connected with service in the armed forces of the United States; or

(E) who became totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs as a result of a service-related injury; or

(2) a member of the Texas National Guard or the Texas Air National Guard who:

(A) was killed since January 1, 1946, while on active duty either in the service of this state or the United States; or

1 (B) is totally disabled for purposes of
2 employability according to the disability ratings of the Department
3 of Veterans Affairs, regardless of whether the member is eligible
4 to receive disability benefits from the department, as a result of a
5 service-related injury suffered since January 1, 1946, while on
6 active duty either in the service of this state or the United
7 States.

8 (b-1) To qualify for an exemption under Subsection (a-1) or
9 (b), a person must be a citizen of Texas and must have resided in the
10 state for at least 12 months immediately preceding the date of the
11 person's registration.

12 (g) The governing board of a junior college district may
13 establish a fee for extraordinary costs associated with a specific
14 course or program and may provide that the exemptions provided by
15 Subsections (a), (a-1), and (b) do not apply to this fee.

16 (h) The governing board of each institution of higher
17 education shall electronically report to the Texas Higher Education
18 Coordinating Board the information required by Section 61.0516
19 relating to each individual receiving an exemption from fees and
20 charges under Subsection (a), (a-1), or (b). The institution shall
21 report the information not later than December 31 of each year for
22 the fall semester, May 31 of each year for the spring semester, and
23 September 30 of each year for the summer session.

24 SECTION 2. Section 54.203, Education Code, as amended by
25 this Act, applies beginning with tuition and other fees charged for
26 the 2009 fall semester. Tuition and other fees charged for an
27 academic period before that semester are covered by the law in

1 effect immediately before the effective date of this Act, and the
2 former law is continued in effect for that purpose.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.