

1-1 By: Hochberg (Senate Sponsor - Zaffirini) H.B. No. 4244
1-2 (In the Senate - Received from the House May 6, 2009;
1-3 May 7, 2009, read first time and referred to Committee on Higher
1-4 Education; May 21, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 21, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4244 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to certain competitive scholarship recipients at public
1-11 institutions of higher education.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 51.969(c), Education Code, as added by
1-14 Chapter 422 (S.B. 1325), Acts of the 80th Legislature, Regular
1-15 Session, 2007, is amended to read as follows:

1-16 (c) Before receiving ~~[A person applying for]~~ a scholarship
1-17 originating from and administered by an institution of higher
1-18 education or university system, a person must file a written
1-19 statement with the institution or system ~~[the application]~~
1-20 indicating whether the person is related within the third degree by
1-21 consanguinity or the second degree by affinity to a current member
1-22 of the governing board of the institution or system.

1-23 SECTION 2. Section 54.064, Education Code, is amended by
1-24 amending Subsection (a) and adding Subsections (c) and (d) to read
1-25 as follows:

1-26 (a) An institution of higher education may charge a
1-27 nonresident ~~[A]~~ student who holds a competitive scholarship of at
1-28 least \$1,000 for the academic year or summer term for which the
1-29 student is enrolled resident tuition and fees ~~[and who is either a~~
1-30 ~~nonresident or a citizen of a country other than the United States~~
1-31 ~~of America is entitled to pay the fees and charges required of Texas~~
1-32 ~~residents]~~ without regard to the length of time the student has
1-33 resided in Texas. The student must compete with other students,
1-34 including Texas residents, for the scholarship and the scholarship
1-35 must be awarded by a scholarship committee officially recognized by
1-36 the administration and be approved by the Texas Higher Education
1-37 Coordinating Board under criteria developed by the coordinating
1-38 board.

1-39 (c) A student who would be entitled to pay resident tuition
1-40 in the 2009-2010 academic year under this section as this section
1-41 existed on January 1, 2009, because the student is awarded a
1-42 competitive scholarship for that academic year in the amount
1-43 prescribed by Subsection (a) before the beginning of the 2009 fall
1-44 semester is entitled to continue to pay resident tuition under this
1-45 section as this section existed on January 1, 2009, in each semester
1-46 or other term in which the student is awarded such a scholarship, as
1-47 long as the student remains enrolled in the same certificate or
1-48 degree program. This subsection expires August 1, 2014.

1-49 (d) The difference between tuition charged to the student
1-50 under this section and the tuition the student would be charged if
1-51 this section did not apply to the student shall not be accounted for
1-52 in such a way as to reduce the general revenue appropriation to an
1-53 institution of higher education that charges a nonresident student
1-54 resident tuition and fees under this section.

1-55 SECTION 3. This Act takes effect immediately if it receives
1-56 a vote of two-thirds of all the members elected to each house, as
1-57 provided by Section 39, Article III, Texas Constitution. If this
1-58 Act does not receive the vote necessary for immediate effect, this
1-59 Act takes effect September 1, 2009.

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