

AN ACT

relating to tuition and fee exemptions at public institutions of higher education for students who have been under the conservatorship of the Department of Family and Protective Services.

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

SECTION 1. The heading to Section 54.211, Education Code, is amended to read as follows:

Sec. 54.211. EXEMPTIONS FOR STUDENTS UNDER CONSERVATORSHIP OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES [~~IN FOSTER OR OTHER RESIDENTIAL CARE~~].

SECTION 2. Subsection (a), Section 54.211, Education Code, is amended to read as follows:

(a) A student is exempt from the payment of tuition and fees authorized in this chapter, including tuition and fees charged by an institution of higher education for a dual credit course or other course for which a high school student may earn joint high school and college credit, if the student:

(1) was [~~in foster care or other residential care~~] under the conservatorship of the Department of Family and Protective Services [~~on or after~~]:

(A) on the day preceding the student's 18th birthday;

(B) on or after the day of the student's 14th

1 birthday, if the student was also eligible for adoption on or after
2 that day; ~~[or]~~

3 (C) on the day the student graduated from high
4 school or received the equivalent of a high school diploma; or

5 (D) during an academic term in which the student
6 was enrolled in a dual credit course or other course for which a
7 high school student may earn joint high school and college credit;
8 and

9 (2) enrolls in an institution of higher education as
10 an undergraduate student or in a dual credit course or other course
11 for which a high school student may earn joint high school and
12 college credit not later than~~[+~~

13 ~~[(A) the third anniversary of the date the~~
14 ~~student was discharged from the foster or other residential care,~~
15 ~~the date the student graduated from high school, or the date the~~
16 ~~student received the equivalent of a high school diploma, whichever~~
17 ~~date is earliest, or~~

18 ~~[(B)]~~ the student's 25th ~~[21st]~~ birthday.

19 SECTION 3. Section 54.211, Education Code, as amended by
20 this Act, applies beginning with tuition and other fees charged for
21 the 2010 spring semester. Tuition and other fees charged for an
22 academic period before that semester are covered by the law in
23 effect immediately before the effective date of this Act, and the
24 former law is continued in effect for that purpose.

25 SECTION 4. 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

1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 43 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 6, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 43 passed the House, with amendment, on April 30, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor