

AN ACT

relating to the automatic admission of undergraduate students to certain general academic teaching institutions and to scholarship and other programs to facilitate enrollment at institutions of higher education.

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

SECTION 1. Section 51.803, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), (a-4), (a-5), (a-6), (g), (h), (i), (j), (k), and (l) to read as follows:

(a) Subject to Subsection (a-1), each ~~Each~~ general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum

1 requirements established under Section 28.025 for the recommended
2 or advanced high school program; or

3 (ii) at a high school to which Section
4 28.025 does not apply, a curriculum that is equivalent in content
5 and rigor to the recommended or advanced high school program; or

6 (B) satisfied ACT's College Readiness Benchmarks
7 on the ACT assessment applicable to the applicant or earned on the
8 SAT assessment a score of at least 1,500 out of 2,400 or the
9 equivalent; and

10 (3) if the applicant graduated from a high school
11 operated by the United States Department of Defense, the applicant
12 is a Texas resident under Section 54.052 or is entitled to pay
13 tuition fees at the rate provided for Texas residents under Section
14 54.058(d) for the term or semester to which admitted.

15 (a-1) Beginning with admissions for the 2011-2012 academic
16 year, The University of Texas at Austin is not required to offer
17 admission to applicants who qualify for automatic admission under
18 Subsection (a) in excess of the number required to fill 75 percent
19 of the university's enrollment capacity designated for first-time
20 resident undergraduate students in an academic year. If the number
21 of applicants who qualify for automatic admission to The University
22 of Texas at Austin under Subsection (a) for an academic year exceeds
23 75 percent of the university's enrollment capacity designated for
24 first-time resident undergraduate students for that academic year,
25 the university may elect to offer admission to those applicants as
26 provided by this subsection and not as otherwise required by
27 Subsection (a). If the university elects to offer admission under

1 this subsection, the university shall offer admission to those
2 applicants by percentile rank according to high school graduating
3 class standing based on grade point average, beginning with the top
4 percentile rank, until the applicants qualified under Subsection
5 (a) have been offered admission in the number estimated in good
6 faith by the university as sufficient to fill 75 percent of the
7 university's enrollment capacity designated for first-time
8 resident undergraduate students, except that the university must
9 offer admission to all applicants with the same percentile rank.
10 After the applicants qualified for automatic admission under
11 Subsection (a) have been offered admission under this subsection in
12 the number estimated in good faith as sufficient to fill 75 percent
13 of the designated enrollment capacity described by this subsection,
14 the university shall consider any remaining applicants qualified
15 for automatic admission under Subsection (a) in the same manner as
16 other applicants for admission as first-time undergraduate
17 students in accordance with Section 51.805.

18 (a-2) If the number of applicants who apply to a general
19 academic teaching institution during the current academic year for
20 admission in the next academic year and who qualify for automatic
21 admission to a general academic teaching institution under
22 Subsection (a) exceeds 75 percent of the institution's enrollment
23 capacity designated for first-time resident undergraduate students
24 for that next academic year and the institution plans to offer
25 admission under Subsection (a-1) during the next school year, the
26 institution shall, in the manner prescribed by the Texas Education
27 Agency and not later than September 15, provide to each school

1 district, for dissemination of the information to high school
2 junior-level students and their parents, notice of which percentile
3 ranks of high school senior-level students who qualify for
4 automatic admission under Subsection (a) are anticipated by the
5 institution to be offered admission under Subsection (a-1) during
6 the next school year.

7 (a-3) Notwithstanding Subsection (a-1), The University of
8 Texas at Austin may not offer admission under that subsection for an
9 academic year after the 2015-2016 academic year.

10 (a-4) If The University of Texas at Austin elects to offer
11 admission to first-time resident undergraduate students under
12 Subsection (a-1) for an academic year, the university must continue
13 its practice of not considering an applicant's legacy status as a
14 factor in the university's decisions relating to admissions for
15 that academic year.

16 (a-5) A general academic teaching institution that offers
17 admission to first-time resident undergraduate students under
18 Subsection (a-1) shall require that a student admitted under that
19 subsection complete a designated portion of not less than six
20 semester credit hours of the student's coursework during evening
21 hours or other low-demand hours as necessary to ensure the
22 efficient use of the institution's available classrooms.

23 (a-6) Not later than December 31 of each academic year in
24 which The University of Texas at Austin offers admission under
25 Subsection (a-1), the university shall deliver a written report to
26 the governor, the lieutenant governor, and speaker of the house of
27 representatives regarding the university's progress in each of the

1 following matters:

2 (1) increasing geographic diversity of the entering
3 freshman class;

4 (2) counseling and outreach efforts aimed at students
5 qualified for automatic admission under this section;

6 (3) recruiting Texas residents who graduate from other
7 institutions of higher education to the university's graduate and
8 professional degree programs;

9 (4) recruiting students who are members of
10 underrepresented demographic segments of the state's population;
11 and

12 (5) assessing and improving the university's regional
13 recruitment centers.

14 (g) The Texas Higher Education Coordinating Board by rule
15 shall develop and implement a program to increase and enhance the
16 efforts of general academic teaching institutions in conducting
17 outreach to academically high-performing high school seniors in
18 this state who are likely to be eligible for automatic admission
19 under Subsection (a) to provide to those students information and
20 counseling regarding the operation of this section and other
21 opportunities, including financial assistance, available to those
22 students for success at public institutions of higher education in
23 this state. Under the program, the coordinating board, after
24 gathering information and recommendations from available sources
25 and examining current outreach practices by institutions in this
26 state and in other states, shall prescribe best practices
27 guidelines and standards to be used by general academic teaching

1 institutions in conducting the student outreach described by this
2 subsection.

3 (h) An institution that admits under this section an
4 applicant qualified for automatic admission under Subsection (a)
5 may admit the applicant for either the fall semester of the academic
6 year for which the applicant applies or for the summer session
7 preceding that fall semester, as determined by the institution.

8 (i) If a general academic teaching institution denies
9 admission to an applicant for an academic year, in any letter or
10 other communication the institution provides to the applicant
11 notifying the applicant of that denial, the institution may not
12 reference the provisions of this section, including using a
13 description of a provision of this section such as the top 10
14 percent automatic admissions law, as a reason the institution is
15 unable to offer admission to the applicant unless the number of
16 applicants for admission to the institution for that academic year
17 who qualify for automatic admission under Subsection (a) is
18 sufficient to fill 100 percent of the institution's enrollment
19 capacity designated for first-time resident undergraduate
20 students.

21 (j) A general academic teaching institution that elects to
22 offer admission under Subsection (a-1) for an academic year may not
23 offer admission to first-time undergraduate students who are not
24 residents of this state for that academic year in excess of the
25 number required to fill 10 percent of the institution's enrollment
26 capacity designated for first-time undergraduate students for that
27 academic year.

1 (k) A general academic teaching institution may not offer
2 admission under Subsection (a-1) for an academic year if, on the
3 date of the institution's general deadline for applications for
4 admission of first-time undergraduate students for that academic
5 year:

6 (1) a final court order applicable to the institution
7 prohibits the institution from considering an applicant's race or
8 ethnicity as a factor in the institution's decisions relating to
9 first-time undergraduate admissions; or

10 (2) the institution's governing board by rule, policy,
11 or other manner has provided that an applicant's race or ethnicity
12 may not be considered as a factor in the institution's decisions
13 relating to first-time undergraduate admissions, except that this
14 subdivision does not apply to an institution that did not consider,
15 on or before June 1, 2009, an applicant's race or ethnicity as a
16 factor in its admissions of first-time resident undergraduate
17 students for the 2009-2010 academic year.

18 (1) The Texas Higher Education Coordinating Board shall
19 publish an annual report on the impact of Subsection (a-1) on the
20 state's goal of closing college access and achievement gaps under
21 "Closing the Gaps," the state's master plan for higher education,
22 with respect to students of an institution that offers admission
23 under that subsection, disaggregated by race, ethnicity,
24 socioeconomic status, and geographic region and by whether the high
25 school from which the student graduated was a small school, as
26 defined by the commissioner of education, or a public high school
27 that is ranked among the lowest 20 percent of public high schools

1 according to the percentage of each high school's graduates who
2 enroll in a four-year institution, including a general academic
3 teaching institution, in one of the two academic years following
4 the year of the applicant's high school graduation. On request, a
5 general academic teaching institution that offers admission under
6 Subsection (a-1) shall provide the board with any information the
7 board considers necessary for the completion of the report required
8 by this subsection.

9 SECTION 2. Subchapter U, Chapter 51, Education Code, is
10 amended by adding Section 51.8035 to read as follows:

11 Sec. 51.8035. AUTOMATIC ADMISSION OF APPLICANTS COMPLETING
12 CORE CURRICULUM AT ANOTHER INSTITUTION. (a) In this section:

13 (1) "Core curriculum" means the core curriculum
14 adopted by an institution of higher education under Section 61.822.

15 (2) "General academic teaching institution" has the
16 meaning assigned by Section 61.003.

17 (b) A general academic teaching institution shall admit an
18 applicant for admission to the institution as a transfer
19 undergraduate student who:

20 (1) graduated from high school not earlier than the
21 fourth school year before the academic year for which the applicant
22 seeks admission to the institution as a transfer student and:

23 (A) qualified for automatic admission to a
24 general academic teaching institution under Section 51.803 at the
25 time of graduation; or

26 (B) was previously offered admission under this
27 subchapter to the institution to which the applicant seeks

1 admission as a transfer student;

2 (2) first enrolled in a public junior college or other
3 public or private lower-division institution of higher education
4 not earlier than the third academic year before the academic year
5 for which the applicant seeks admission;

6 (3) completed the core curriculum at a public junior
7 college or other public or private lower-division institution of
8 higher education with a cumulative grade point average of at least
9 2.5 on a four-point scale or the equivalent; and

10 (4) submits a completed application for admission as a
11 transfer student before the expiration of any application filing
12 deadline established by the institution.

13 (c) For purposes of this section, transfer semester credit
14 hours from a different institution of higher education and semester
15 credit hours earned by examination shall be included in determining
16 whether the person completed the core curriculum at an institution
17 of higher education.

18 (d) It is the responsibility of the applicant for admission
19 under this section to:

20 (1) expressly and clearly claim in the application
21 entitlement to admission under this section; and

22 (2) timely provide to the general academic teaching
23 institution the documentation required by the institution to
24 determine the student's entitlement to admission under this
25 section.

26 SECTION 3. Section 28.026, Education Code, is amended to
27 read as follows:

1 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION.

2 (a) The board of trustees of a school district shall require each
3 high school in the district to post appropriate signs in each
4 counselor's office, in each principal's office, and in each
5 administrative building indicating the substance of Section 51.803
6 regarding automatic college admission. To assist in the
7 dissemination of this information, the school district shall:

8 (1) require that each high school counselor and class
9 advisor be provided a detailed explanation of the substance of
10 Section 51.803;

11 (2) provide each district student, at the time the
12 student first registers for one or more classes required for high
13 school graduation, with a written notification of the substance of
14 Section 51.803;

15 (3) require that each high school counselor and senior
16 class advisor explain to eligible students the substance of Section
17 51.803; and

18 (4) not later than the 14th day after the last day of
19 classes for the fall semester or an equivalent date in the case of a
20 school operated on a year-round system under Section
21 25.084, [~~3~~] provide each eligible senior student under Section
22 51.803 and each student enrolled in the junior year of high school
23 who has a grade point average in the top 10 percent of the student's
24 high school class, and the student's parent or guardian [at the
25 commencement of a class's senior year], with a written notification
26 of the student's eligibility with a detailed explanation in plain
27 language of the substance of Section 51.803.

1 (b) The commissioner shall adopt forms to use in providing
2 notice under Subsections (a)(2) and (4). In providing notice under
3 Subsection (a)(2) or (4), a school district shall use the
4 appropriate form adopted by the commissioner. The notice to a
5 student and the student's parent or guardian under Subsection
6 (a)(4) must be on a single form that may contain one or more
7 signature lines to indicate receipt of notice by the student or the
8 student's parent or guardian.

9 (c) The commissioner shall adopt procedures to ensure that,
10 as soon as practicable after this subsection becomes law, each
11 school district provides written notification of the substance of
12 Section 51.803, as amended by the 81st Legislature, Regular
13 Session, 2009, to each district student who, for the 2009-2010
14 school year, registers for one or more courses required for high
15 school graduation. The commissioner may adopt rules under this
16 subsection in the manner provided by law for emergency rules. Each
17 district shall comply with the procedures adopted by the
18 commissioner under this subsection. This subsection expires
19 September 1, 2010.

20 SECTION 4. Section 33.007, Education Code, is amended by
21 adding Subsection (c) to read as follows:

22 (c) At the beginning of grades 10 and 11, a school counselor
23 certified under the rules of the State Board for Educator
24 Certification shall explain the requirements of automatic
25 admission to a general academic teaching institution under Section
26 51.803 to each student enrolled in a high school or at the high
27 school level in an open-enrollment charter school who has a grade

1 point average in the top 25 percent of the student's high school
2 class.

3 SECTION 5. Chapter 56, Education Code, is amended by adding
4 Subchapter R to read as follows:

5 SUBCHAPTER R. SCHOLARSHIPS FOR STUDENTS GRADUATING
6 IN TOP 10 PERCENT OF HIGH SCHOOL CLASS

7 Sec. 56.481. PURPOSE. The purpose of this program is to
8 encourage attendance at public institutions of higher education in
9 this state by outstanding high school students in the top 10 percent
10 of their graduating class.

11 Sec. 56.482. DEFINITIONS. In this subchapter:

12 (1) "Coordinating board" means the Texas Higher
13 Education Coordinating Board.

14 (2) "Institution of higher education" has the meaning
15 assigned by Section 61.003.

16 (3) "Program" means the scholarship program
17 authorized by this subchapter.

18 Sec. 56.483. AWARD OF SCHOLARSHIP. (a) The coordinating
19 board shall award scholarships to eligible students under this
20 subchapter.

21 (b) An institution of higher education shall provide to a
22 student who receives a scholarship under the program for a semester
23 or other academic term:

24 (1) a credit in the amount of the scholarship, to be
25 applied toward the payment of any amount of educational costs
26 charged by the institution for that semester or term; and

27 (2) a check, electronic transfer, or other

1 disbursement of any remaining scholarship amount.

2 (c) An amount paid under Subsection (b)(2) may be applied
3 only to any usual and customary cost incurred by the student to
4 attend the institution of higher education.

5 Sec. 56.484. INITIAL ELIGIBILITY FOR SCHOLARSHIP. To be
6 eligible for a scholarship under this subchapter, a student must:

7 (1) have graduated from a public or accredited private
8 high school in this state while ranked in the top 10 percent of the
9 student's graduating class, subject to Section 56.487(b);

10 (2) have completed the recommended or advanced high
11 school curriculum established under Section 28.025 or its
12 equivalent;

13 (3) have applied for admission as a first-time
14 freshman student for the 2010-2011 academic year or a subsequent
15 academic year to an institution of higher education that has
16 elected to offer admissions for that academic year to applicants as
17 provided by Section 51.803(a-1);

18 (4) enroll as a first-time freshman student in an
19 institution of higher education not later than the 16th month after
20 the date of the student's high school graduation;

21 (5) have been awarded a TEXAS grant under Subchapter M
22 for the same semester or other academic term for which the
23 scholarship will be awarded;

24 (6) be a Texas resident under Section 54.052; and

25 (7) comply with any other eligibility requirements
26 established by coordinating board rule.

27 Sec. 56.485. INELIGIBILITY FOR SCHOLARSHIP.

1 Notwithstanding Section 56.484, a student is not eligible for an
2 initial or subsequent scholarship under this subchapter if the
3 student was offered admission as a first-time freshman student to
4 any institution of higher education for an academic year for which
5 that institution made admissions under Section 51.803(a-1),
6 regardless of whether the student subsequently enrolls at that
7 institution.

8 Sec. 56.486. AMOUNT OF SCHOLARSHIP. (a) Except as
9 provided by Subsection (b), the amount of a scholarship for each
10 semester or other academic term in which an eligible student is
11 enrolled at an institution of higher education is an amount
12 sufficient to cover, but not exceed, the amount of tuition charged
13 to the student for that semester or term.

14 (b) The amount of a scholarship for each semester or other
15 academic term may not exceed the amount of the student's unmet
16 financial need for that semester or term after any other gift aid
17 has been awarded.

18 (c) The coordinating board shall issue to each eligible
19 student a certificate indicating the amount of the scholarship
20 awarded to the student.

21 Sec. 56.487. APPLICATION PROCEDURE. (a) The coordinating
22 board shall establish application procedures for the program. The
23 procedures may require an officer of the applicable high school or
24 school district to verify the eligibility of a student to receive a
25 scholarship under the program.

26 (b) The coordinating board may permit a student to establish
27 initial eligibility based on the student's class rank at the end of

1 the student's seventh semester in high school. The board may revoke
2 an initial scholarship awarded to a student who subsequently loses
3 eligibility based on the student's class rank on graduation from
4 high school.

5 (c) The coordinating board may consider applications
6 received after the application deadline only if sufficient funding
7 for scholarships remains after the board awards scholarships to all
8 eligible students who applied on or before the deadline.

9 (d) The coordinating board shall establish procedures to
10 notify each eligible student of the receipt of a scholarship under
11 the program and to enable an institution of higher education to
12 verify the award of a scholarship to a student who is enrolled at
13 that institution.

14 Sec. 56.488. CONTINUING ELIGIBILITY FOR SCHOLARSHIP.

15 (a) After establishing eligibility to receive an initial
16 scholarship under the program, a student may continue to receive
17 additional scholarships during each subsequent semester or other
18 academic term in which the student is enrolled at an institution of
19 higher education if the student:

20 (1) makes satisfactory academic progress as required
21 by Section 56.489;

22 (2) submits to the institution transcripts for any
23 coursework completed at other public or private institutions of
24 higher education;

25 (3) has been awarded a TEXAS grant under Subchapter M
26 for the same semester or other academic term for which the
27 scholarship will be awarded; and

1 (4) complies with any other eligibility requirements
2 established by coordinating board rule.

3 (b) If a student fails to meet any of the requirements of
4 Subsection (a) after completing a semester or other academic term,
5 the student may not receive a scholarship during the next semester
6 or other academic term in which the student enrolls. A student may
7 become eligible to receive a scholarship in a subsequent semester
8 or term if the student:

9 (1) completes a semester or term during which the
10 student is not eligible for a scholarship; and

11 (2) meets all the requirements of Subsection (a).

12 (c) Except as provided by Section 56.490(b), a student's
13 eligibility for a scholarship under the program ends on the fourth
14 anniversary of the first day of the semester or other academic term
15 for which the student was awarded an initial scholarship under the
16 program.

17 Sec. 56.489. SATISFACTORY ACADEMIC PROGRESS. For each
18 academic year in which a student receives one or more scholarships
19 under the program, the student must:

20 (1) complete for that year:

21 (A) at least 75 percent of all credit hours
22 attempted, as determined by the institution of higher education in
23 which the student is enrolled; and

24 (B) at least 30 credit hours or the number of
25 credit hours needed to complete the student's degree or certificate
26 program, whichever is less; and

27 (2) maintain an overall grade point average of at

1 least 3.25 on a four-point scale or its equivalent for all
2 coursework attempted at any public or private institution of higher
3 education.

4 Sec. 56.490. EXCEPTION FOR HARDSHIP OR OTHER GOOD CAUSE.

5 (a) Each institution of higher education shall adopt a policy to
6 allow a student who fails to make satisfactory academic progress as
7 required by Section 56.489 to receive a scholarship in a subsequent
8 semester or other academic term on a showing of hardship or other
9 good cause, including:

10 (1) a showing of a severe illness or other
11 debilitating condition that could affect the student's academic
12 performance;

13 (2) an indication that the student is responsible for
14 the care of a sick, injured, or needy person and that the student's
15 provision of care could affect the student's academic performance;
16 or

17 (3) any other cause considered acceptable by the
18 coordinating board.

19 (b) An institution of higher education may extend the
20 eligibility period described by Section 56.488(c) in the event of
21 hardship or other good cause as provided by the institution's
22 policy adopted under Subsection (a).

23 (c) An institution of higher education shall maintain
24 documentation of each exception granted to a student under this
25 section and shall provide timely notice of those exceptions to the
26 coordinating board.

27 Sec. 56.491. PUBLICATION OF PROGRAM INFORMATION. (a) The

1 coordinating board shall publish and disseminate general
2 information and rules for the program as provided by Subsection (b)
3 and as otherwise considered appropriate by the board.

4 (b) The coordinating board shall provide application
5 instructions to:

6 (1) each school district and each institution of
7 higher education; and

8 (2) an individual student on request.

9 Sec. 56.492. REIMBURSEMENT. (a) Each institution of
10 higher education that provides scholarships under the program to
11 eligible students enrolled at the institution is entitled to
12 reimbursement by the coordinating board of the amounts provided.
13 The institution must request reimbursement in the manner specified
14 by coordinating board rule.

15 (b) On approval of an institution's request for
16 reimbursement, the coordinating board shall direct the comptroller
17 to transfer the appropriate amount to the institution. The
18 institution may use the transferred funds as reimbursement for any
19 credits provided to students under this subchapter, to reimburse
20 students for charges previously paid to the institution, or to make
21 scholarship payments to students, as applicable.

22 Sec. 56.493. RULES. The coordinating board shall adopt
23 rules as necessary to administer the program under this subchapter.

24 SECTION 6. Subchapter C, Chapter 61, Education Code, is
25 amended by adding Section 61.07622 to read as follows:

26 Sec. 61.07622. HIGHER EDUCATION ASSISTANCE PLAN. (a) The
27 board shall develop a plan under which each public high school in

1 this state that is, as determined by the board in accordance with
2 board rule, substantially below the state average in the number of
3 graduates who attend public or private or independent institutions
4 of higher education is required to:

5 (1) provide to prospective students information
6 related to enrollment in public or private or independent
7 institutions of higher education, including admissions and
8 financial aid information; and

9 (2) assist those prospective students in completing
10 applications related to enrollment in those institutions,
11 including admissions and financial aid applications.

12 SECTION 7. The purpose of the reforms provided for in this
13 Act is to continue and facilitate progress in general academic
14 teaching institutions in this state with regard to the racial,
15 ethnic, demographic, geographic, and rural/urban diversity of the
16 student bodies of those institutions in undergraduate, graduate,
17 and professional education, including the participation goals
18 identified in the "Closing the Gaps" initiative, the state's master
19 plan for higher education. Nothing in this Act prevents a general
20 academic teaching institution in this state from engaging in
21 appropriate individualized holistic review, consistent with that
22 purpose, for the admission of students who are not entitled to
23 automatic admission under Section 51.803, Education Code, as
24 amended by this Act.

25 SECTION 8. The commissioner of education shall adopt a form
26 for notifying eligible high school seniors and their parents or
27 guardians of automatic college admission as required by Section

1 28.026, Education Code, as amended by this Act, as soon as
2 practicable after the effective date of this Act.

3 SECTION 9. (a) The Texas Higher Education Coordinating
4 Board shall adopt rules to administer Subchapter R, Chapter 56,
5 Education Code, as added by this Act, as soon as practicable after
6 the effective date of this Act. For that purpose, the coordinating
7 board may adopt the initial rules in the manner provided by law for
8 emergency rules.

9 (b) The Texas Higher Education Coordinating Board shall
10 begin awarding scholarships under Subchapter R, Chapter 56,
11 Education Code, as added by this Act, for the first academic year
12 for which money is appropriated for that purpose, except that the
13 coordinating board may not award scholarships under that subchapter
14 for an academic year before the 2010-2011 academic year.

15 SECTION 10. Section 51.8035, Education Code, as added by
16 this Act, applies beginning with admissions to a general academic
17 teaching institution for the 2010 spring semester.

18 SECTION 11. This Act takes effect immediately if it
19 receives a vote of two-thirds of all the members elected to each
20 house, as provided by Section 39, Article III, Texas Constitution.
21 If this Act does not receive the vote necessary for immediate
22 effect, this Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 175 passed the Senate on March 25, 2009, by the following vote: Yeas 24, Nays 7; and that the Senate concurred in House amendments on May 30, 2009, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

I hereby certify that S.B. No. 175 passed the House, with amendments, on May 26, 2009, by the following vote: Yeas 123, Nays 20, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor