

A BILL TO BE ENTITLED

AN ACT

relating to resident tuition rates and fees at public institutions of higher education for certain veterans and their spouses and children.

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

SECTION 1. Section 54.058, Education Code, is amended by adding Subsections (k) and (l) to read as follows:

(k) A person is entitled to pay tuition and fees at an institution of higher education at the rates provided for Texas residents without regard to the length of time the person has resided in this state if the person files with the institution at which the person intends to register a letter of intent to establish residence in this state and resides in this state while enrolled in the institution and the person:

(1) is eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.) or any other federal law authorizing educational benefits for veterans;

(2) is the spouse of a person described by Subdivision (1); or

(3) is a child of a person described by Subdivision (1) who is 25 years of age or younger on the first day of the semester or other academic term for which the person is registering, except that the Texas Higher Education Coordinating Board by rule shall

1 prescribe procedures by which a person who suffered from a severe  
2 illness or other debilitating condition that affected the person's  
3 ability to use the benefit provided by this subsection before  
4 reaching that age may be granted additional time to use the benefit  
5 corresponding to the time the person was unable to use the benefit  
6 because of the illness or condition.

7 (1) In this section, "child" includes a stepchild.

8 SECTION 2. Subsection (k), Section 54.058, Education Code,  
9 as added by this Act, applies beginning with tuition and other fees  
10 charged for the 2009 fall semester. Tuition and other fees charged  
11 for an academic period before that semester are covered by the law  
12 in effect immediately before the effective date of this Act, and the  
13 former law is continued in effect for that purpose.

14 SECTION 3. The Texas Higher Education Coordinating Board  
15 shall adopt the rules required by Subdivision (3), Subsection (k),  
16 Section 54.058, Education Code, as added by this Act, as soon as  
17 practicable after this Act takes effect. For that purpose, the  
18 coordinating board may adopt the initial rules in the manner  
19 provided by law for emergency rules.

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