

1-1 By: Van de Putte, et al. S.B. No. 297
1-2 (In the Senate - Filed November 14, 2008; February 11, 2009,
1-3 read first time and referred to Committee on Higher Education;
1-4 March 19, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 19, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 297 By: Duncan

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

1-10 relating to resident tuition rates and fees at public institutions
1-11 of higher education for certain veterans and their spouses and
1-12 children.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 54.058, Education Code, is amended by
1-15 adding Subsections (k) and (l) to read as follows:

1-16 (k) A person is entitled to pay tuition and fees at an
1-17 institution of higher education at the rates provided for Texas
1-18 residents without regard to the length of time the person has
1-19 resided in this state if the person files with the institution at
1-20 which the person intends to register a letter of intent to establish
1-21 residence in this state and resides in this state while enrolled in
1-22 the institution and the person:

1-23 (1) is eligible for benefits under the federal
1-24 Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C.
1-25 Section 3301 et seq.) or any other federal law authorizing
1-26 educational benefits for veterans;

1-27 (2) is the spouse of a person described by Subdivision
1-28 (1); or

1-29 (3) is a child of a person described by Subdivision (1)
1-30 who is 25 years of age or younger on the first day of the semester or
1-31 other academic term for which the person is registering, except
1-32 that the Texas Higher Education Coordinating Board by rule shall
1-33 prescribe procedures by which a person who suffered from a severe
1-34 illness or other debilitating condition that affected the person's
1-35 ability to use the benefit provided by this subsection before
1-36 reaching that age may be granted additional time to use the benefit
1-37 corresponding to the time the person was unable to use the benefit
1-38 because of the illness or condition.

1-39 (l) In this section, "child" includes a stepchild.

1-40 SECTION 2. Subsection (k), Section 54.058, Education Code,
1-41 as added by this Act, applies beginning with tuition and other fees
1-42 charged for the 2009 fall semester. Tuition and other fees charged
1-43 for an academic period before that semester are covered by the law
1-44 in effect immediately before the effective date of this Act, and the
1-45 former law is continued in effect for that purpose.

1-46 SECTION 3. The Texas Higher Education Coordinating Board
1-47 shall adopt the rules required by Subdivision (3), Subsection (k),
1-48 Section 54.058, Education Code, as added by this Act, as soon as
1-49 practicable after this Act takes effect. For that purpose, the
1-50 coordinating board may adopt the initial rules in the manner
1-51 provided by law for emergency rules.

1-52 SECTION 4. This Act takes effect immediately if it receives
1-53 a vote of two-thirds of all the members elected to each house, as
1-54 provided by Section 39, Article III, Texas Constitution. If this
1-55 Act does not receive the vote necessary for immediate effect, this
1-56 Act takes effect September 1, 2009.

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