

By: Shapiro

S.B. No. 326

A BILL TO BE ENTITLED

AN ACT

relating to stabilizing the amount of tuition charged to certain residents of this state by general academic teaching institutions.

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

SECTION 1. Subchapter A, Chapter 54, Education Code, is amended by adding Section 54.016 to read as follows:

Sec. 54.016. TUITION STABILIZATION. (a) In this section:

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

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

(b) This section applies only to a student who:

(1) enrolls at a general academic teaching institution as a first-time freshman;

(2) after satisfying the requirement of Subdivision (1), remains continuously enrolled at a general academic teaching institution until graduation, except as provided under rules adopted under Subsection (g); and

(3) at all times while the student is enrolled at a general academic teaching institution, is a resident of this state for purposes of Subchapter B or is otherwise entitled to pay tuition and fees at the rate provided for residents of this state.

(c) Except as provided under rules adopted under Subsection (g), this section applies only to the amount of tuition charged

1 under this chapter to a student as follows:

2 (1) for a student enrolled in a four-year degree  
3 program, on or before the fourth anniversary of the date the student  
4 first enrolls in a general academic teaching institution; or

5 (2) for a student enrolled in a degree program of any  
6 other length, not later than the end of the standard completion  
7 period for that program, as established by the general academic  
8 teaching institution awarding the degree.

9 (d) Notwithstanding any other provision of this chapter but  
10 subject to the applicability provisions of this section, a general  
11 academic teaching institution may not charge to a student for any  
12 course in which the student enrolls after the student's freshman  
13 year tuition at a rate that exceeds the rate in effect for that  
14 course during the student's freshman year or, for a course that was  
15 not offered during the student's freshman year, a rate that exceeds  
16 the rate in effect for an equivalent course during the student's  
17 freshman year.

18 (e) Notwithstanding any other provision of this chapter but  
19 subject to the applicability provisions of this section, if a  
20 student transfers from one general academic teaching institution to  
21 another, the institution to which the student transfers may not  
22 charge to the student for any course in which the student enrolls  
23 after the student's freshman year tuition at a rate that exceeds the  
24 rate in effect for that course at the receiving institution during  
25 the student's freshman year or, for a course that was not offered at  
26 the receiving institution during the student's freshman year, a  
27 rate that exceeds the rate in effect for an equivalent course at the

1 receiving institution during the student's freshman year.

2 (f) In consultation with general academic teaching  
3 institutions, the coordinating board shall adopt any rules  
4 necessary to administer this section, including:

5 (1) rules relating to the equivalency of courses  
6 offered during a student's freshman year and courses in which the  
7 student enrolls after the student's freshman year;

8 (2) rules consistent with Subsection (e) that:

9 (A) provide for determining tuition rates for  
10 students who transfer among general academic teaching  
11 institutions; and

12 (B) prescribe the types of documentation a  
13 transfer student must submit to establish eligibility under that  
14 subsection; and

15 (3) rules as described by Subsection (g) to allow  
16 students to suspend their enrollment or giving students additional  
17 time to complete their degree programs.

18 (g) The coordinating board shall adopt rules to allow a  
19 student to pay the tuition rates as provided by Subsection (d) or  
20 (e), as applicable, if the student satisfies the other requirements  
21 of this section but, solely as a result of a hardship or other good  
22 cause shown, is unable to remain continuously enrolled at a general  
23 academic teaching institution as required by Subsection (b)(2) or  
24 to complete the student's degree program before the applicable date  
25 described by Subsection (c). For purposes of this subsection, a  
26 hardship or other good cause shown includes a showing of:

27 (1) a severe illness or other debilitating condition

1 that affects the student's ability to satisfy the requirement of  
2 Subsection (b)(2) or (c); or

3 (2) the student's responsibility for the care of a  
4 sick, injured, or needy person if the provision of care affects the  
5 student's ability to satisfy the requirement of Subsection (b)(2)  
6 or (c).

7 (h) This section does not apply to a student who enters a  
8 general academic teaching institution for the first time before the  
9 2009 fall semester. This subsection expires January 1, 2015.

10 SECTION 2. The Texas Higher Education Coordinating Board  
11 shall adopt rules for the administration of Section 54.016,  
12 Education Code, as added by this Act, as soon as practicable after  
13 this Act takes effect. For that purpose, the coordinating board may  
14 adopt the initial rules in the manner provided by law for emergency  
15 rules.

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