

By: Davis, Wendy

S.B. No. 1346

A BILL TO BE ENTITLED

AN ACT

relating to limitations on increases in the total amount of tuition charged by public institutions of higher education.

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

SECTION 1. Subchapter B, Chapter 54, Education Code, is amended by adding Section 54.0514 to read as follows:

Sec. 54.0514. LIMITATIONS ON INCREASE IN TOTAL AMOUNT OF TUITION. (a) In this section, "tuition" includes:

(1) tuition for which the rates are prescribed by this chapter; and

(2) tuition charged by an institution of higher education under Section 54.0513 or another law authorizing an institution to establish tuition rates.

(b) An institution of higher education may not:

(1) charge a student a total amount of tuition that exceeds by more than five percent the total amount of tuition that the institution would have charged to a similarly situated student in the preceding academic year; or

(2) charge an undergraduate student tuition for a semester or other academic term at a rate that exceeds the rate the institution charged the student during the first semester or other academic term in which the student was enrolled at the institution if the student is currently, and at all times while enrolled at the institution has been, a resident of this state for purposes of this

1 subchapter or was otherwise entitled to pay tuition at the rate
2 provided for residents of this state.

3 (c) Subsection (b)(2) does not apply to a student after:

4 (1) the second anniversary of the date the student
5 initially enrolled in the institution if the student is enrolled in
6 a two-year degree program;

7 (2) the fourth anniversary of the date the student
8 initially enrolled in the institution if the student is enrolled in
9 a four-year degree program; or

10 (3) the fifth anniversary of the date the student
11 initially enrolled in the institution if the student is enrolled in
12 a degree program of more than four years.

13 (d) For purposes of this section, students are similarly
14 situated if they share the same residency status, degree program,
15 course load, course level, tuition exemption status, and other
16 circumstances affecting the tuition charged to the student.

17 (e) This section does not ensure that the total amount of
18 tuition charged to an individual student does not increase by more
19 than the amount prescribed by Subsection (b) based on a change in
20 the student's residency status, degree program, course load, course
21 level, tuition exemption status, or other circumstance affecting
22 the tuition charged to the student.

23 (f) The Texas Higher Education Coordinating Board may adopt
24 rules as necessary to administer this section.

25 SECTION 2. This Act applies beginning with tuition charged
26 by public institutions of higher education for the 2010-2011
27 academic year.

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