

By: Zaffirini, et al.

S.B. No. 1443

Substitute the following for S.B. No. 1443:

By: Branch

C.S.S.B. No. 1443

A BILL TO BE ENTITLED

AN ACT

relating to the academic costs charged to resident undergraduate students by general academic teaching institutions and to certain reports regarding certain costs of those 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. LIMITATION ON INCREASE IN TOTAL ACADEMIC COSTS CHARGED TO RESIDENT UNDERGRADUATE STUDENTS. (a) In this section:

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

(2) "Core operational costs" means those costs as estimated by the Legislative Budget Board under Section 51.973.

(3) "Total academic costs":

(A) includes:

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

(ii) tuition charged by a general academic teaching institution under Section 54.0513 or another law authorizing a general academic teaching institution to establish tuition rates;

(iii) mandatory academic fees; and

(iv) any other academic-related general fees and college course fees, including fees for laboratories,

1 field trips, access to Internet or multimedia service, equipment  
2 replacement, and instructional technology; and

3 (B) does not include optional fees charged to a  
4 student for voluntary services or a fee approved by students of the  
5 institution in a referendum held at the institution for that  
6 purpose.

7 (b) This subsection applies to total academic costs charged  
8 to students for the 2010-2011, 2011-2012, and 2012-2013 academic  
9 years by a general academic teaching institution. In an academic  
10 year to which this subsection applies, the total academic costs  
11 charged by a general academic teaching institution to an  
12 undergraduate student who is a resident of this state may not exceed  
13 the total academic costs that the institution would have charged to  
14 a similarly situated student in the preceding academic year by more  
15 than the greater of:

16 (1) 3.95 percent; or

17 (2) \$280.

18 (c) For purposes of this section, students are similarly  
19 situated if they share the same residency status, degree program,  
20 course load, course level, tuition exemption status, and other  
21 circumstances affecting the total academic costs charged to the  
22 student.

23 (d) This section does not ensure that the total academic  
24 costs charged to an individual student will not increase by more  
25 than the limitation prescribed by Subsection (b) based on a change  
26 in the student's residency status, degree program, course load,  
27 course level, tuition exemption status, or other circumstance

1 affecting the total academic costs charged to the student.

2 (e) This section expires September 1, 2013.

3 SECTION 2. Subchapter Z, Chapter 51, Education Code, is  
4 amended by adding Section 51.973 to read as follows:

5 Sec. 51.973. BIENNIAL REPORT BY LEGISLATIVE BUDGET BOARD  
6 REGARDING CERTAIN UNIVERSITY COSTS. (a) Not later than September  
7 1 of each even-numbered year, the Legislative Budget Board shall  
8 submit to the Senate Finance Committee, the House Appropriations  
9 Committee, and the standing committee of each house with primary  
10 jurisdiction over higher education:

11 (1) for consideration by the members of those  
12 committees in determining the amount of general revenue  
13 appropriations to general academic teaching institutions and  
14 tuition rates at those institutions, the Legislative Budget Board's  
15 estimate of the core operational costs for the next state fiscal  
16 biennium for each general academic teaching institution, based on a  
17 methodology that:

18 (A) projects for each year of the next biennium:

19 (i) changes in student enrollment for each  
20 institution; and

21 (ii) a rate of inflation; and

22 (B) uses data from each institution's annual  
23 financial report regarding costs for instruction, academic  
24 support, institutional support, operations and maintenance of  
25 physical plants, and student services; and

26 (2) a certified list of all general academic teaching  
27 institutions ranked according to the amount of total academic costs

1 charged per student in the academic years covered by the current  
2 state fiscal biennium.

3 (b) Beginning in 2013, the Legislative Budget Board shall  
4 submit with its estimate under Subsection (a)(1) a comparison of  
5 each institution's actual core operational costs for the preceding  
6 state fiscal biennium to the board's previous estimate of the  
7 institution's core operational costs for that biennium.

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