

1-1 By: Ogden S.B. No. 2084
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Finance; May 1, 2009,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 9, Nays 5; May 1, 2009, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 2084 By: Ogden

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to eligibility for a TEXAS grant and to administration of
1-10 the TEXAS grant program.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subdivision (2), Section 56.301, Education Code,
1-13 is amended to read as follows:

1-14 (2) "Eligible institution" means:

1-15 (A) for a person who graduates from high school
1-16 on or after May 1, 2010, a general academic teaching institution as
1-17 defined by Section 61.003; and

1-18 (B) for any other person, an institution of
1-19 higher education that offers one or more undergraduate degree or
1-20 certification programs.

1-21 SECTION 2. Section 56.303, Education Code, is amended by
1-22 amending Subsection (d) and adding Subsections (e), (f), and (g) to
1-23 read as follows:

1-24 (d) The coordinating board annually shall determine the
1-25 allocation among eligible institutions of money available for TEXAS
1-26 grants and shall distribute the money accordingly.

1-27 (e) In determining who should receive a TEXAS grant, the
1-28 coordinating board and the eligible institutions shall give highest
1-29 priority to awarding TEXAS grants to students who demonstrate the
1-30 greatest financial need.

1-31 (f) Beginning with TEXAS grants awarded for the 2010-2011
1-32 academic year, in determining who should receive an initial TEXAS
1-33 grant, each eligible institution, in addition to giving priority as
1-34 provided by Subsection (e), shall give highest priority to students
1-35 who meet the eligibility criteria described by Section
1-36 56.3041(a)(2)(A). If there is money available in excess of the
1-37 amount required to award an initial TEXAS grant to all students
1-38 meeting those criteria, an institution may make awards to other
1-39 students who meet the eligibility criteria described by Section
1-40 56.304(a)(2)(A).

1-41 (g) For the 2010-2011, 2011-2012, and 2012-2013 academic
1-42 years, each eligible institution shall give priority under
1-43 Subsections (e) and (f) in awarding TEXAS grants to the extent
1-44 required by Section 56.3041(a-1). This subsection expires June 1,
1-45 2013.

1-46 SECTION 3. Subchapter M, Chapter 56, Education Code, is
1-47 amended by amending Section 56.3041 and adding Section 56.3042 to
1-48 read as follows:

1-49 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
1-50 HIGH SCHOOL ON OR AFTER MAY 1, 2010. (a) To be eligible initially
1-51 for a TEXAS grant, a person graduating from high school on or after
1-52 May 1, 2010, must:

1-53 (1) be a resident of this state as determined by
1-54 coordinating board rules;

1-55 (2) meet the academic requirements prescribed by
1-56 Paragraph (A), (B), or (C) as follows:

1-57 (A) be a graduate of a public or accredited
1-58 private high school in this state who completed the recommended
1-59 high school program established under Section 28.025 or its
1-60 equivalent and have accomplished at least two of the following:

1-61 (i) graduated under the advanced high
1-62 school program established under Section 28.025 or its equivalent
1-63 or successfully completed the international baccalaureate diploma

2-1 program, including program assessments;
 2-2 (ii) graduated from high school with a
 2-3 grade point average of at least 3.0 on a four-point scale or the
 2-4 equivalent;
 2-5 (iii) satisfied college readiness
 2-6 benchmarks on the Scholastic Assessment Test (SAT) or ACT, as
 2-7 determined by the coordinating board; or
 2-8 (iv) be ranked in the top one-third of the
 2-9 person's high school graduating class at the end of the semester
 2-10 used by the applicable eligible institution for admissions
 2-11 purposes;
 2-12 (B) have received an associate degree from a
 2-13 public or private institution of higher education; or
 2-14 (C) if sufficient money is available, meet the
 2-15 eligibility criteria described by Section 56.304(a)(2)(A);
 2-16 (3) meet financial need requirements established by
 2-17 the coordinating board;
 2-18 (4) be enrolled in an undergraduate degree program at
 2-19 an eligible institution;
 2-20 (5) except as provided under rules adopted under
 2-21 Subsection (g), be enrolled as:
 2-22 (A) an entering undergraduate student for at
 2-23 least three-fourths of a full course load, as determined by the
 2-24 coordinating board, not later than the 16th month after the date the
 2-25 person graduates from high school;
 2-26 (B) an entering undergraduate student who
 2-27 entered military service not later than 12 months after graduating
 2-28 from high school and who enrolled at an eligible institution not
 2-29 later than 12 months after being honorably discharged from military
 2-30 service; or
 2-31 (C) a continuing undergraduate student for at
 2-32 least three-fourths of a full course load, as determined by the
 2-33 coordinating board, not later than the 12th month after the date the
 2-34 person receives an associate degree from a public or private
 2-35 institution of higher education;
 2-36 (6) have applied for any available financial aid or
 2-37 assistance; and
 2-38 (7) comply with any additional nonacademic
 2-39 requirements adopted by the coordinating board under this
 2-40 subchapter.
 2-41 (a-1) Subsection (a)(2)(A) applies to at least:
 2-42 (1) 25 percent of the students who receive a TEXAS
 2-43 grant under this section and who graduate from high school on or
 2-44 after May 1, 2010, but before May 1, 2011;
 2-45 (2) 50 percent of the students who receive a TEXAS
 2-46 grant under this section and who graduate from high school on or
 2-47 after May 1, 2011, but before May 1, 2012;
 2-48 (3) 75 percent of the students who receive a TEXAS
 2-49 grant under this section and who graduate from high school on or
 2-50 after May 1, 2012, but before May 1, 2013; and
 2-51 (4) all students who graduate from high school on or
 2-52 after May 1, 2013.
 2-53 (a-2) Subsection (a-1) and this subsection expire January
 2-54 1, 2014.
 2-55 (b) A person is not eligible to receive a TEXAS grant if the
 2-56 person has been convicted of a felony or an offense under Chapter
 2-57 481, Health and Safety Code, or under the law of another
 2-58 jurisdiction involving a controlled substance as defined by Chapter
 2-59 481, Health and Safety Code, unless the person has met the other
 2-60 applicable eligibility requirements under this subchapter and has:
 2-61 (1) received a certificate of discharge from the Texas
 2-62 Department of Criminal Justice or a correctional facility or
 2-63 completed a period of probation ordered by a court and at least two
 2-64 years have elapsed from the date of the receipt of completion; or
 2-65 (2) been pardoned, had the record of the offense
 2-66 expunged from the person's record, or otherwise been released from
 2-67 the resulting ineligibility to receive a grant under this
 2-68 subchapter.
 2-69 (c) A person is not eligible to receive a TEXAS grant if the

3-1 person has been granted a baccalaureate degree.

3-2 (d) A person may not receive a TEXAS grant for more than 150
3-3 semester credit hours or the equivalent.

3-4 (e) Except as provided under rules adopted under Subsection
3-5 (f), a person's eligibility for a TEXAS grant ends on:

3-6 (1) the fifth anniversary of the initial award of a
3-7 TEXAS grant to the person if the person is enrolled in a degree or
3-8 certificate program of four years or less; or

3-9 (2) the sixth anniversary of the initial award of a
3-10 TEXAS grant to the person if the person is enrolled in a degree or
3-11 certificate program of more than four years.

3-12 (f) The coordinating board shall adopt rules to provide a
3-13 person who is otherwise eligible to receive a TEXAS grant
3-14 additional time during which the person may receive a TEXAS grant in
3-15 the event of a hardship or other good cause shown that prevents the
3-16 person from continuing the person's enrollment during the period
3-17 the person would otherwise have been eligible to receive a TEXAS
3-18 grant, including a showing of:

3-19 (1) severe illness or other debilitating condition
3-20 experienced by the person; or

3-21 (2) responsibility of the person for the care of a
3-22 sick, injured, or needy person.

3-23 (g) The coordinating board shall adopt rules to allow a
3-24 person who is otherwise eligible to receive a TEXAS grant in the
3-25 event of a hardship or for other good cause shown, including a
3-26 showing of a severe illness or other debilitating condition that
3-27 may affect the person's academic performance or that the person is
3-28 responsible for the care of a sick, injured, or needy person and
3-29 that the person's provision of care may affect the person's academic
3-30 performance, to receive a TEXAS grant while enrolled in a number of
3-31 semester credit hours that is less than the number required by
3-32 Subsection (a)(5). The coordinating board may not allow a person to
3-33 receive a TEXAS grant while enrolled in fewer than six semester
3-34 credit hours or the equivalent.

3-35 Sec. 56.3042. INITIAL ELIGIBILITY OF PERSON ON TRACK TO
3-36 MEET MERIT REQUIREMENTS [~~COMPLETE RECOMMENDED OR ADVANCED~~
3-37 CURRICULUM]. (a) If at the time an eligible institution awards
3-38 TEXAS grants to initial recipients for an academic year an
3-39 applicant has not completed high school or the applicant's final
3-40 high school transcript is not yet available to the institution, the
3-41 student is considered to have satisfied the eligibility
3-42 requirements of Section 56.304(a)(2)(A) or 56.3041(a)(2)(A) if the
3-43 student's available high school transcript indicates that at the
3-44 time the transcript was prepared the student was on schedule to
3-45 graduate from high school and to meet the eligibility requirements
3-46 [~~complete the recommended or advanced high school curriculum or its~~
3-47 equivalent], as applicable to the student, in time to be eligible
3-48 for a TEXAS grant for the academic year.

3-49 (b) The coordinating board or the eligible institution may
3-50 require the student to forgo or repay the amount of an initial TEXAS
3-51 grant awarded to the student as described by Subsection (a) if the
3-52 student fails to meet the eligibility requirements of Section
3-53 56.3041(a)(2)(A) [~~complete the recommended or advanced high school~~
3-54 curriculum or its equivalent] after the issuance of the available
3-55 high school transcript.

3-56 (c) A person who is required to forgo or repay the amount of
3-57 an initial TEXAS grant under Subsection (b) may become eligible to
3-58 receive an initial TEXAS grant under Section 56.304 or 56.3041 by
3-59 satisfying the associate degree requirement prescribed by Section
3-60 56.304(a)(2)(B) or 56.3041(a)(2)(B) and the other applicable
3-61 requirements of the [~~that~~] section applicable to the person at the
3-62 time the person reapplies for the grant.

3-63 (d) A person who receives an initial TEXAS grant under
3-64 Subsection (a) and is not required to forgo or repay the amount of
3-65 the grant under Subsection (b) may become eligible to receive a
3-66 subsequent TEXAS grant under Section 56.305 only by satisfying the
3-67 associate degree requirement prescribed by Section 56.304(a)(2)(B)
3-68 or 56.3041(a)(2)(B), as applicable to the person, in addition to
3-69 the requirements of Section 56.305 at the time the person applies

4-1 for the subsequent grant.

4-2 SECTION 4. This Act takes effect January 1, 2010.

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