

1-1 By: Gallegos S.B. No. 2267  
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read  
1-3 first time and referred to Committee on Higher Education;  
1-4 April 29, 2009, reported favorably by the following vote: Yeas 3,  
1-5 Nays 1; April 29, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to eligibility for an award through the Early High School  
1-9 Graduation Scholarship program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 56.203, Education Code, is amended by  
1-12 amending Subsections (a) and (e) and adding Subsection (f) to read  
1-13 as follows:

1-14 (a) To be eligible for an award through the Early High  
1-15 School Graduation Scholarship program, a person must:

1-16 (1) have graduated from a public high school in this  
1-17 state:

1-18 (A) in not more than 41 consecutive months and  
1-19 successfully completed the recommended or advanced high school  
1-20 program established under Section 28.025, if the person graduated  
1-21 on or after September 1, 2005;

1-22 (B) in not more than 46 consecutive months, with  
1-23 at least 30 hours of college credit, and successfully completed the  
1-24 recommended or advanced high school program established under  
1-25 Section 28.025, if the person graduated on or after September 1,  
1-26 2005; or

1-27 (C) in not more than 36 consecutive months after  
1-28 successfully completing the requirements for a high school diploma,  
1-29 if the person graduated before September 1, 2005, regardless of  
1-30 whether the person successfully completed the recommended or  
1-31 advanced high school program established under Section 28.025;

1-32 (2) have attended one or more public high schools in  
1-33 this state for the majority of time the person attended high school,  
1-34 except as provided by Subsection (f); and

1-35 (3) except as provided by Subsection (f), be a citizen  
1-36 of the United States or otherwise lawfully authorized to be present  
1-37 in the United States.

1-38 (e) The coordinating board shall adopt rules for  
1-39 determining whether a person attended public high school in this  
1-40 state as required by Subsection (a)(2) and for determining under  
1-41 Subsection (f)(2) whether a person attended a high school other  
1-42 than a public high school in this state primarily because of the  
1-43 migratory agricultural or fishing work of the person, the person's  
1-44 parent, or the person's spouse. The coordinating board may adopt  
1-45 other rules the board considers necessary for the administration of  
1-46 Subsection (f).

1-47 (f) A person described by Subsection (a)(1)(A) or (B) who is  
1-48 otherwise eligible for an award and who is a migratory child, as  
1-49 defined by 20 U.S.C. Section 6399, is eligible for an award through  
1-50 the Early High School Graduation Scholarship program despite the  
1-51 student's inability to satisfy Subsection (a)(2) or (3) if:

1-52 (1) the person graduates from a public high school in  
1-53 this state; and

1-54 (2) the person attended one or more high schools,  
1-55 other than a public high school in this state, for one or more  
1-56 periods primarily because of the migratory agricultural or fishing  
1-57 work of the person, the person's parent, or the person's spouse, and  
1-58 the person would have satisfied Subsection (a)(2) if the person had  
1-59 attended a public high school in this state during that period or  
1-60 those periods.

1-61 SECTION 2. The changes in law made by this Act apply only to  
1-62 a student who graduates from a public high school in this state on  
1-63 or after the effective date of this Act. A student who graduates  
1-64 from a public high school in this state before the effective date of

2-1 this Act and the student's eligibility to participate in the Early  
2-2 High School Graduation Scholarship program is governed by the law  
2-3 in effect immediately before the effective date of this Act, and the  
2-4 former law is continued in effect for that purpose.

2-5 SECTION 3. This Act takes effect immediately if it receives  
2-6 a vote of two-thirds of all the members elected to each house, as  
2-7 provided by Section 39, Article III, Texas Constitution. If this  
2-8 Act does not receive the vote necessary for immediate effect, this  
2-9 Act takes effect September 1, 2009.

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