

SENATE AMENDMENTS

2nd Printing

By: Keffer, et al.

H.B. No. 2013

A BILL TO BE ENTITLED

AN ACT

1
2 relating to tuition and laboratory fee exemptions at public
3 institutions of higher education for certain volunteer
4 firefighters enrolled in fire science courses.

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

6 SECTION 1. Section 54.208, Education Code, is amended to
7 read as follows:

8 Sec. 54.208. FIREFIGHTERS [~~FIREMEN~~] ENROLLED IN FIRE
9 SCIENCE COURSES. (a) The governing board of an institution of
10 higher education [~~boards of the state institutions of collegiate~~
11 ~~rank supported in whole or in part by public funds]~~ shall exempt
12 from the payment of tuition and laboratory fees any student
13 enrolled in one or more courses offered as part of a fire science
14 curriculum who:

15 (1) [~~person who~~] is employed as a firefighter
16 [~~fireman~~] by a [~~any~~] political subdivision of this [~~the~~] state; or

17 (2) is an active member of an organized volunteer fire
18 department in this state, as defined by the fire fighters' pension
19 commissioner, who holds:

20 (A) an Accredited Advanced level of
21 certification, or an equivalent successor certification, under the
22 State Firemen's and Fire Marshals' Association of Texas volunteer
23 certification program; or

24 (B) Phase V (Firefighter II) certification, or an

1 equivalent successor certification, under the Texas Commission on
2 Fire Protection's voluntary certification program under Section
3 419.071, Government Code [~~and who enrolls in a course or courses~~
4 ~~offered as part of a fire science curriculum~~].

5 (b) An [~~The~~] exemption provided under this section does not
6 apply to deposits that [~~which~~] may be required in the nature of
7 security for the return or proper care of property loaned for the
8 use of students.

9 (c) Notwithstanding Subsection (a), a student who for a
10 semester or term at an institution of higher education receives an
11 exemption under this section may continue to receive the exemption
12 for a subsequent semester or term at any institution only if the
13 student makes satisfactory academic progress toward a degree or
14 certificate at that institution as determined by the institution
15 for purposes of financial aid.

16 (d) Notwithstanding Subsection (a), the exemption provided
17 under this section does not apply to any amount of additional
18 tuition the institution elects to charge a resident undergraduate
19 student under Section 54.014(a) or (f).

20 (e) Notwithstanding Subsection (a), the exemption provided
21 under this section does not apply to any amount of tuition the
22 institution charges a graduate student in excess of the amount of
23 tuition charged to similarly situated graduate students because the
24 student has a number of semester credit hours of doctoral work in
25 excess of the applicable number provided by Section 61.059(1)(1) or
26 (2).

27 (f) The Texas Higher Education Coordinating Board shall

1 adopt:

2 (1) rules governing the granting or denial of an
3 exemption under this section, including rules relating to the
4 determination of a student's eligibility for an exemption; and

5 (2) a uniform listing of degree programs covered by
6 the exemption under this section.

7 SECTION 2. A student who received an exemption under
8 Section 54.208, Education Code, before the 2009 fall semester may
9 continue to receive the exemption under the provisions of that
10 section as it existed immediately before the effective date of this
11 Act as long as the student remains enrolled in the same degree or
12 certificate program and is otherwise eligible to continue to
13 receive the exemption under that former law.

14 SECTION 3. The changes in law made by this Act to Section
15 54.208, Education Code, apply beginning with tuition and laboratory
16 fees charged for the 2009 fall semester. Tuition and laboratory
17 fees charged for an academic period before the 2009 fall semester
18 are covered by the law in effect immediately before the effective
19 date of this Act, and the former law is continued in effect for that
20 purpose.

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

ADOPTED

MAY 25 2009

Astley Spaul
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Robert Duncan

1 Amend H.B. No. 2013 (Senate Committee Printing), in SECTION 1
2 of the bill, in added Section 54.208(a)(2), Education Code (page 1,
3 line 23), by striking "is an active member" and substituting "is
4 currently, and has been for at least one year, an active member".

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2013 by Keffer (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.), As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would extend the exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold an Accredited Advanced level of certification or an equivalent under the State Firemen's and Fire Marshall's Association of Texas volunteer certification program or a phase V certification or equivalent successor certification under the Texas Commission on Fire Protection's voluntary certification program under Government Code, Section 419.071.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters received exemptions totaling \$1,394,202. Approximately 87.16% or 1,487 of the firefighters attended public community colleges and 11.31% or 193 attended public universities. The Texas State Firemen's and Fire Marshall's Association reported that there are approximately 18,000-20,000 paid firefighters in the state and approximately 20,000-30,000 volunteer firefighters, of whom 1,317 had the required credential.

Since the individuals with the required credentials have demonstrated an interest in pursuing additional training/learning, it is assumed the share of volunteer firefighters would equal four times the percentage of paid firefighters (which the Higher Education Coordinating Board estimated as $1,706/19,000 = 8.98\%$ of the paid firefighters). This percentage, multiplied by 4 equals 35.92% of the 1,317 certified volunteer firefighters, or 473 new recipients. The also assumed assumed that the requirement to have been in the unit at least 1 year would reduce this number by 7 percent to 440. They further assumed 45% of this number would enroll in fiscal year 2010, growing by 10% per year thereafter. However, this growth will be tempered by the requirement that students meet school academic progress requirements in order to continue receiving awards. They estimated the impact of this restriction to equal a 5% decrease in the number of recipients, beginning in fiscal year 2011.

Based on these calculations the number of new recipients in fiscal year 2010 attending universities would equal 22 ($440 * .1131 * .45 = 22$). The number at universities in fiscal year 2011 would equal 26 ($440 * .1131 * .55 * .95 = 26$). When comparable calculations are conducted for all types of institutions for all years, they determined that 198 would enroll in fiscal year 2010, growing to 356 in fiscal year 2014.

Based on these assumptions, it is estimated that the decreased tuition and fee revenue for the institutions would total \$252,539 in fiscal year 2010. These decreases would increase as more volunteer firefighters used the exemption.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board

LBB Staff: JOB, GO, KK, RT

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 14, 2009

TO: Honorable Judith Zaffirini, Chair, Senate Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2013 by Keffer (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would extend the exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold an Accredited Advanced level of certification or an equivalent under the State Firemen's and Fire Marshall's Association of Texas volunteer certification program or a phase V certification or equivalent successor certification under the Texas Commission on Fire Protection's voluntary certification program under Government Code, Section 419.071.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters received exemptions totaling \$1,394,202. Approximately 87.16% or 1,487 of the firefighters attended public community colleges and 11.31% or 193 attended public universities. The Texas State Firemen's and Fire Marshall's Association reported that there are approximately 18,000-20,000 paid firefighters in the state and approximately 20,000-30,000 volunteer firefighters, of whom 1,317 had the required credential.

Since the individuals with the required credentials have demonstrated an interest in pursuing additional training/learning, it is assumed the share of volunteer firefighters would equal four times the percentage of paid firefighters (which the Higher Education Coordinating Board estimated as $1,706/19,000 = 8.98\%$ of the paid firefighters). This percentage, multiplied by 4 equals 35.92% of the 1,317 certified volunteer firefighters, or 473 new recipients. They further assumed 45% of this number would enroll in fiscal year 2010, growing by 10% per year thereafter. However, this growth will be tempered by the requirement that students meet school academic progress requirements in order to continue receiving awards. They estimated the impact of this restriction to equal a 5% decrease in the number of recipients, beginning in fiscal year 2011.

Based on these calculations the number of new recipients in fiscal year 2010 attending universities would equal 24 ($473 * .1131 * .45 = 24$). The number at universities in fiscal year 2011 would equal 28 ($473 * .1131 * .55 * .95 = 28$). When comparable calculations are conducted for all types of institutions for all years, they determined that 213 would enroll in fiscal year 2010, growing to 382 in fiscal year 2014.

Based on these assumptions, it is estimated that the decreased tuition and fee revenue for the institutions would total \$271,803 in fiscal year 2010. These decreases would increase as more volunteer firefighters used the exemption.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 720 The University of Texas System Administration, 758 Texas State University

System, 769 University of North Texas System Administration, 781 Higher Education
Coordinating Board

LBB Staff: JOB, GO, KK, RT

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2013 by Keffer (relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would extend the exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold an Accredited Advanced level of certification or an equivalent under the State Firemen's and Fire Marshall's Association of Texas volunteer certification program or a phase V certification or equivalent successor certification under the Texas Commission on Fire Protection's voluntary certification program under Government Code, Section 419.071.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters received exemptions totaling \$1,394,202. Approximately 87% or 1,487 of the firefighters attended public community colleges and 11% or 193 attended public universities. The Texas State Firemen's and Fire Marshall's Association reported that there are approximately 18,000-20,000 paid firefighters in the state and approximately 20,000-30,000 volunteer firefighters, of whom 12,063 had the required credential.

The Higher Education Coordinating Board assumed the same share of volunteer firefighters would use the exemption as of paid firefighters, estimated to be 19,000. The Higher Education Coordinating Board multiplied the number with credentials (12,063) by the share of paid firefighters receiving exemptions (1,706/19,000). This indicated 1,083 volunteer firefighters would eventually use the exemption. $(12063 * (1706/19000)) = 1,083$. They further assumed 45% of this number would enroll in fiscal year 2010, growing by 10% per year resulting in 487 volunteer firefighters enrolling in fiscal year 2010, growing to 920 in fiscal year 2014. Based on these assumptions, it is estimated that the decreased tuition and fee revenue for the institutions would total \$620,869 in fiscal year 2010. These decreases would increase as more volunteer firefighters used the exemption.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board

LBB Staff: JOB, KK, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 27, 2009

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2013 by Keffer (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.), **As Introduced**

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|---|
| No significant fiscal implication to the State is anticipated. |
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The bill would extend the exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold an Accredited Advanced level of certification or an equivalent under the State Firemen's and Fire Marshall's Association of Texas volunteer certification program or a phase V certification or equivalent successor certification under the Texas Commission on Fire Protection's voluntary certification program under Government Code, Section 419.071.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters received exemptions totaling \$1,394,202. Approximately 87% or 1,487 of the firefighters attended public community colleges and 11% or 193 attended public universities. The Texas State Firemen's and Fire Marshall's Association reported that there are approximately 18,000-20,000 paid firefighters in the state and approximately 20,000-30,000 volunteer firefighters, of whom 12,063 had the required credential.

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Source Agencies: 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board

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