

SENATE AMENDMENTS

2nd Printing

By: Thibaut, Guillen

H.B. No. 2347

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 peace officers
4 enrolled in criminal justice or law enforcement management-related
5 course work.

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

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

9 Sec. 54.208. FIREFIGHTERS AND PEACE OFFICERS [~~FIREMEN~~]
10 ENROLLED IN CERTAIN [~~FIRE SCIENCE~~] COURSES. (a) The governing
11 board of an institution of higher education [~~boards of the state~~
12 ~~institutions of collegiate rank supported in whole or in part by~~
13 ~~public funds~~] shall exempt from the payment of tuition and
14 laboratory fees a student [~~any person~~] who:

15 (1) is employed as a firefighter [~~fireman~~] by a political [~~any~~]
16 subdivision of this [~~the~~] state and who enrolls in a
17 course or courses offered as part of a fire science curriculum; or

18 (2) is employed as a peace officer by the state or by a
19 political subdivision of this state and who enrolls in a course or
20 courses offered as part of a criminal justice or law enforcement
21 management-related curriculum.

22 (b) An [~~The~~] exemption provided under this section does not
23 apply to deposits that [~~which~~] may be required in the nature of
24 security for the return or proper care of property loaned for the

1 use of students.

2 (c) The Texas Higher Education Coordinating Board shall
3 adopt:

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

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

9 (d) If the legislature does not specifically appropriate
10 funds to an institution of higher education in an amount sufficient
11 to pay the institution's costs in complying with this section for a
12 semester, the governing board of the institution of higher
13 education shall report to the Senate Finance Committee and the
14 House Appropriations Committee the cost to the institution of
15 complying with this section for that semester.

16 SECTION 2. The changes in law made by this Act to Section
17 54.208, Education Code, apply beginning with tuition and laboratory
18 fees charged for the 2009 fall semester. Tuition and laboratory
19 fees charged for an academic period before the 2009 fall semester
20 are covered by the law in effect immediately before the effective
21 date of this Act, and the former law is continued in effect for that
22 purpose.

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

ADOPTED

MAY 26 2009

Atty. Gen.
Secretary of the Senate

By: Whitmore

H.B. No. 2347

Substitute the following for H.B. No. 2347:

By: Dun

C.S. H.B. No. 2347

A BILL TO BE ENTITLED

AN ACT

relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.

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

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

Sec. 54.208. FIREFIGHTERS AND PEACE OFFICERS [~~FIREMEN~~] ENROLLED IN CERTAIN [~~FIRE SCIENCE~~] COURSES. (a) The governing board of an institution of higher education [~~boards of the state institutions of collegiate rank supported in whole or in part by public funds~~] shall exempt from the payment of tuition and laboratory fees a student [~~any person~~] who is employed as a firefighter [~~fireman~~] by a [~~any~~] political subdivision of this [~~the~~] state and who enrolls in a course or courses offered as part of a fire science curriculum.

(b) The governing board of an institution of higher education shall exempt from the payment of tuition and laboratory fees charged by the institution for a criminal justice or law enforcement course or courses an undergraduate student who:

(1) is employed as a peace officer by this state or by a

political subdivision of this state;

(2) is enrolled in a criminal justice or law enforcement-related degree program at the institution;

(3) is making satisfactory academic progress toward the student's degree as determined by the institution; and

(4) applies for the exemption at least one week before the last date of the institution's regular registration period for the applicable semester or other term.

(c) Notwithstanding Subsection (b), a student may not receive an exemption under that subsection for any course if the student has previously attempted a number of semester credit hours for courses taken at any institution of higher education while classified as a resident student for tuition purposes in excess of the maximum number of those hours specified by Section 61.0595(a) as eligible for funding under the formulas established under Section 61.059.

(d) Notwithstanding Subsection (b), the governing board of an institution of higher education may not provide exemptions under that subsection to students enrolled in a specific class in a number that exceeds 20 percent of the maximum student enrollment designated by the institution for that class.

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

(f) The Texas Higher Education Coordinating Board shall adopt:

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

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

(g) If the legislature does not specifically appropriate funds to an institution of higher education in an amount sufficient to pay the institution's costs in complying with this section for a semester, the governing board of the institution of higher education shall report to the Senate Finance Committee and the House Appropriations Committee the cost to the institution of complying with this section for that semester.

SECTION 2. The changes in law made by this Act to Section 54.208, Education Code, apply beginning with tuition and laboratory fees charged for the 2011 fall semester. Tuition and laboratory fees charged for an academic period before the 2011 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect January 1, 2011.

ADOPTED

BY: LaFinnic
MAY 26 2009

FLOOR AMENDMENT NO. 1

Robert Drew
Secretary of the Senate

1 Amend H.B. No. 2347 by adding the following sections and
2 renumbering existing sections accordingly:

3 SECTION ____ . Section 54.214(d), Education Code, is amended
4 to read as follows:

5 (d) The institution of higher education at which a person
6 seeking an exemption under this section is enrolled
7 ~~[coordinating board]~~ must certify the [a] person's eligibility
8 to receive the [an] exemption ~~[under this section]~~. As soon as
9 practicable after receiving an application for certification,
10 the institution ~~[coordinating board]~~ shall make the
11 determination of eligibility and give notice of its
12 determination to the applicant ~~[, the institution of higher~~
13 ~~education at which the applicant is enrolled,]~~ and to the school
14 district employing the applicant ~~[person]~~ as an educational
15 aide.

16 SECTION ____ . The change in law made by this Act to
17 Section 54.214, Education Code, applies to an exemption from
18 tuition and fees granted under that section beginning with the
19 2009 fall semester.

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

FLOOR AMENDMENT NO. 2

ADOPTED

MAY 26 2009

BY:



Letty Spaul
Secretary of the Senate

1 Amend CSHB 2347 by adding the following appropriately
2 numbered SECTION to the bill and renumbering subsequent SECTIONS
3 of the bill appropriately:

4 SECTION _____. This Act does not make an appropriation.
5 A provision in this Act that creates a new governmental program,
6 creates a new entitlement, or imposes a new duty on a
7 governmental entity is not mandatory during a fiscal period for
8 which the legislature has not made a specific appropriation to
9 implement the provision.

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: HB2347 by Thibaut (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, higher education institutions would certify the eligibility of certain educational aides to receive an exemption from tuition and fees charged by the institutions. Under current law, the Higher Education Coordinating Board makes the determination. These provisions would be implemented within current resources.

The bill would also extend the tuition and laboratory fee exemption program currently for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in a course or courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers. The governing board of an institution of higher education may not provide exemptions to students enrolled in a specific class in a number that exceeds 20 percent of the maximum student enrollment designated by the institution for that class. Changes in the tuition and laboratory fees would be effective beginning in the 2011 fall semester (fiscal year 2012).

The bill would require the Higher Education Coordinating Board to develop rules governing the granting or denial the exemption and a uniform listing of degree programs covered the exemption. Under provisions of the bill, if the legislature does not specifically appropriate funds to an institution to pay the institution's costs associated with the exemption, the governing board of each institution shall report the estimated costs to the Senate Finance Committee and the House Appropriations Committee for that semester.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters were reported as receiving exemptions totaling \$1,394,202. Approximately 87%, or 1,487, of the firefighters attended public community colleges and 11%, or 193, of the firefighters attended public universities. The average awards were \$1,569 at universities and \$707 at community colleges. Over the past three years, the awards have grown by approximately 25% per year.

According to the Texas Workforce Commission, there are 26,250 persons in Texas employed as firefighters and 54,600 employed as peace officers. The Higher Education Coordinating Board assumed the same share of volunteer firefighters would use the exemption as of paid firefighters. To estimate the number of recipients they multiplied the number of peace officers (54,600) by the share of paid firefighters receiving exemptions (1,706/26,250). Based on these calculations 3,548 peace officers would eventually use the exemption but taking into account the limits established in the bill (20% capacity of the class), the Higher Education Coordinating Board estimates that 468 would enroll in fiscal year 2012, increasing to 563 and 674 in 2013 and 2014.

Based on these assumptions, the Higher Education Coordinating Board has calculated that total tuition exemption for all students in all sectors, to be \$361,779 for fiscal year 2012, \$462,788 in

fiscal year 2013, and \$585,326 in fiscal year 2014. These amounts are not considered significant.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: JOB, KK, RT, GO, ESi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 24, 2009

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

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

IN RE: **HB2347** by Thibaut (relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would extend the tuition and laboratory fee exemption program currently for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in a course or courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers. The governing board of an institution of higher education may not provide exemptions to students enrolled in a specific class in a number that exceeds 20 percent of the maximum student enrollment designated by the institution for that class. Changes in the tuition and laboratory fees would be effective beginning in the 2011 fall semester (fiscal year 2012).

The bill would require the Higher Education Coordinating Board to develop rules governing the granting or denial the exemption and a uniform listing of degree programs covered the exemption. Under provisions of the bill, if the legislature does not specifically appropriate funds to an institution to pay the institution's costs associated with the exemption, the governing board of each institution shall report the estimated costs to the Senate Finance Committee and the House Appropriations Committee for that semester.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters were reported as receiving exemptions totaling \$1,394,202. Approximately 87%, or 1,487, of the firefighters attended public community colleges and 11%, or 193, of the firefighters attended public universities. The average awards were \$1,569 at universities and \$707 at community colleges. Over the past three years, the awards have grown by approximately 25% per year.

According to the Texas Workforce Commission, there are 26,250 persons in Texas employed as firefighters and 54,600 employed as peace officers. The Higher Education Coordinating Board assumed the same share of volunteer firefighters would use the exemption as of paid firefighters. To estimate the number of recipients they multiplied the number of peace officers (54,600) by the share of paid firefighters receiving exemptions (1,706/26,250). Based on these calculations 3,548 peace officers would eventually use the exemption but taking into account the limits established in the bill (20% capacity of the class), the Higher Education Coordinating Board estimates that 468 would enroll in fiscal year 2012, increasing to 563 and 674 in 2013 and 2014.

Based on these assumptions, the Higher Education Coordinating Board has calculated that total tuition exemption for all students in all sectors, to be \$361,779 for fiscal year 2012, \$462,788 in fiscal year 2013, and \$585,326 in fiscal year 2014.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: JOB, KK, RT, GO, ESi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

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

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

IN RE: HB2347 by Thibaut (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would extend the tuition and laboratory fee exemption program currently for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in a course or courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers. The bill would require the Higher Education Coordinating Board to develop rules governing the granting or denial the exemption and a uniform listing of degree programs covered the exemption. Under provisions of the bill, if the legislature does not specifically appropriate funds to an institution to pay the institution's costs associated with the exemption, the governing board of each institution shall report the estimated costs to the Senate Finance Committee and the House Appropriations Committee for that semester.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters were reported as receiving exemptions totaling \$1,394,202. Approximately 87% or 1,487 of the firefighters attended public community colleges and 11% or 193 of the firefighters attended public universities. The average awards were \$1,569 at universities and \$707 at community colleges. Over the past three years, the awards have grown by approximately 25% per year.

According to the Texas Workforce Commission, there are 26,250 persons in Texas employed as firefighters and 55,650 employed as peace officers. The Higher Education Coordinating Board assumed the same share of volunteer firefighters would use the exemption as of paid firefighters. To estimate the number of recipients they multiplied the number of peace officers (54,600) by the share of paid firefighters receiving exemptions (1,706/26,250). Based on these calculations 3,548 peace officers would eventually use the exemption. Since this will be a new program for peace officers, they assumed 35% of this number would enroll in fiscal year 2010, growing by 10% per year thereafter resulting in 1,241 enrolling in fiscal year 2010, growing to 2,660 by fiscal year 2014.

Based on these assumptions, the Higher Education Coordinating Board has calculated that total tuition exemption for all students in all sectors, to be \$1,341,549 for fiscal year 2010 and \$1,984,266 in fiscal year 2011. The decreases in tuition would increase in future years as the number of peace officers claiming the tuition exemption increased.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: JOB, KK, RT, GO, ESi

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 2, 2009

TO: Honorable Tommy Merritt, Chair, House Committee on Public Safety

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

IN RE: HB2347 by Thibaut (Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would extend the tuition and laboratory fee exemption program currently for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in a course or courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers.

Based on information provided by the Higher Education Coordinating Board, in fiscal year 2008 a total of 1,706 paid firefighters were reported as receiving exemptions totaling \$1,394,202. Approximately 87% or 1,487 of the firefighters attended public community colleges and 11% or 193 of the firefighters attended public universities. The average awards were \$1,569 at universities and \$707 at community colleges. Over the past three years, the awards have grown by approximately 25% per year.

According to the Texas Workforce Commission, there are 26,250 persons in Texas employed as firefighters and 55,650 employed as peace officers. The Higher Education Coordinating Board assumed the same share of volunteer firefighters would use the exemption as of paid firefighters. To estimate the number of recipients they multiplied the number of peace officers (55,650) by the share of paid firefighters receiving exemptions (1,706/26,250). This indicated 3,617 peace officers would eventually use the exemption. Since this will be a new program for peace officers, they assumed 35% of this number would enroll in fiscal year 2010, growing by 10% per year thereafter. This indicated 1,265 would enroll in fiscal year 2010, growing to 2,714 in fiscal year 2014.

Based on these assumptions, the Higher Education Coordinating Board has calculated that total tuition exemption for all students in all sectors, to be \$1,615,559 for fiscal year 2010. The decreases in tuition would increase in future years as the number of peace officers claiming the tuition exemption increased

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, ESi, RT, GO

