

**House Bill 2347**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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:

(1) 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; or

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

SENATE VERSION

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.

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(b) 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.

(c) 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.

(d) If the legislature does not specifically appropriate funds to an institution of higher education in an amount

(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

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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 2009 fall semester. Tuition and laboratory fees charged for an academic period before the 2009 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.

No equivalent provision.

No equivalent provision.

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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 \_\_. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

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

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The following rows were presented as identical to language in the engrossed version of Senate Bill 1798 relating to certifying the eligibility of certain educational aides to receive an exemption from tuition and fees charged by public institutions of higher education.

No equivalent provision.

SECTION \_\_. Section 54.214(d), Education Code, is amended to read as follows:

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

No equivalent provision.

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected

SECTION \_\_. Same as House version.

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to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

