

House Bill 3452
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

Sec. 56.501. PROGRAM NAME. The scholarship program authorized by this subchapter is known as the Texas Armed Services Scholarship Program.

Sec. 56.502. ARMED SERVICES SCHOLARSHIPS.

(a) Armed services scholarships are annual conditional scholarship grants of \$15,000 available for use at any public or private institution of higher education located in this state having a Reserve Officer Training Corps (ROTC) program, conditioned on certain obligations to which the recipient is committed detailed at Section 56.504.

(b) Any amount paid to a student for being under contract with one of the branches of the armed services of the United States shall be deducted from the armed services scholarship.

Sec. 56.503. POWERS OF APPOINTMENT. The governor, the lieutenant governor, the members of the Texas Senate, and the members of the Texas House of Representatives shall each individually have the power

SENATE VERSION

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter FF to read as follows:

SUBCHAPTER FF. TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

Sec. 61.9771. SCHOLARSHIP PROGRAM; SCHOLARSHIP AMOUNT. The board shall establish and administer, in accordance with this subchapter and board rules, the Texas Armed Services Scholarship Program

under which the board provides an annual conditional scholarship of \$5,000 to a student who meets the eligibility criteria prescribed by Section 61.9772 and is appointed to receive a scholarship.

(Sec. 61.9774) (b) The board by rule shall provide that any amount paid to a student by a branch of the armed services of the United States during an academic year for which the student receives a scholarship under this subchapter because the student is under a contract with that branch shall be deducted from the amount of the scholarship awarded to the student for that academic year.

(Sec. 61.9772 Part) (b) In each year, the governor and the lieutenant governor may each appoint two students and each state senator and each state representative may appoint one student to receive an initial scholarship

CONFERENCE

House Bill 3452
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

annually to appoint two recipients of armed services scholarships who possess the requisite qualifications for the scholarship.

Sec. 56.504. QUALIFICATIONS. In order to qualify for an armed services scholarship, a student must:

(1) meet minimum college entrance requirements at a public or private institution of higher education located in this state; and

(2) attend, meet, and maintain the satisfactory academic progress requirements of the student's public or private institution of higher education.

Sec. 56.505. COMMITMENTS. In order to fulfill the student's commitments to the armed services scholarship program, he or she must:

(1) complete four years of ROTC training,

SENATE VERSION

under this subchapter.

Sec. 61.9772. ELIGIBILITY; NOMINATION AND SELECTION. (a) To receive an initial scholarship under this subchapter, a student must:

(1) be enrolled as a freshman in a public or private institution of higher education in this state;

(2) enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program while enrolled in a public or private institution of higher education in this state;

(3) be appointed to receive a scholarship by the governor, the lieutenant governor, a state senator, or a state representative; and

(4) enter into an agreement with the board under Section 61.9773.

(c) For a student to continue to receive a scholarship awarded under this subchapter, the student must maintain satisfactory academic progress as determined by the institution in which the student is enrolled.

Sec. 61.9773. AGREEMENT REQUIREMENTS. (a) To receive a scholarship under this subchapter, a student must enter into an agreement with the board as provided by this section. The agreement must require the student to:

(1) complete four years of ROTC training;

CONFERENCE

House Bill 3452
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

and graduate within five years;

(2) upon graduation, enter into either a four-year commitment to be a member of the Texas State Guard or the Texas Army or Air Force National Guard, or a contract to serve as a commissioned officer with any branch of the armed services of the United States; and

(3) meet the physical examination requirements and all other prescreening requirements of the Texas State Guard, the Texas Army or Air Force National Guard, or the branch of the armed services with which the student enters into a contract.

Sec. 56.506. CONSEQUENCES OF FAILURE TO MEET COMMITMENTS. If at any time a recipient of an armed services scholarship either fails to maintain satisfactory academic progress, withdraws from the scholarship program, or fails to fulfill his or her commitment to the Texas State Guard or the Texas Army or Air Force National Guard or his or her contract with a branch of the armed services of the United States, for any reason other than a physical inability to meet any of these commitments, all funds advanced to the recipient to that point under the armed services scholarship program shall become a debt due and owing to the State of Texas.

SENATE VERSION

(2) graduate not later than five years after the date the student first enrolls in a public or private institution of higher education in this state;

(3) after graduation, enter into:

(A) a four-year commitment to be a member of the Texas Army or Air Force National Guard; or

(B) a contract to serve as a commissioned officer in any branch of the armed services of the United States;

(4) meet the physical examination requirements and all other prescreening requirements of the Texas Army or Air Force National Guard, or the branch of the armed services with which the student enters into a contract; and

(5) agree to repay the scholarship if the student:

(A) fails to maintain satisfactory academic progress;

(B) withdraws from the scholarship program; or

(C) fails to fulfill a commitment or contract described by Subdivision (3).

(b) The board shall adopt rules to exempt a student from the repayment of a scholarship under an agreement entered into under this section if the student is unable to

CONFERENCE

House Bill 3452
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Sec. 56.507. FUNDING. (a) The Texas Higher Education Coordinating Board may solicit and accept gifts, grants, and donations from any public or private source for the purposes of this subchapter.

(b) The legislature may appropriate money for the purpose of this subchapter.

Sec. 56.508. RULEMAKING AUTHORITY. The Texas Higher Education Coordinating Board shall have authority to make rules to implement the purposes of this subchapter.

No equivalent provision.

No equivalent provision.

SENATE VERSION

meet the obligations of the agreement solely as a result of physical inability.

Sec. 61.9776. FUNDING. The board shall administer this subchapter using available appropriations and gifts, grants, and donations made for the purposes of this subchapter.

Sec. 61.9774. RULES. (a) The board shall adopt rules as necessary for the administration of this subchapter, including rules regarding the eligibility criteria and the selection of scholarship recipients.

Sec. 61.9775. LIMITATION ON SCHOLARSHIP. A person may not receive a scholarship under this subchapter after earning a cumulative total of 150 credit hours or after being awarded a baccalaureate degree, whichever occurs first.

SECTION 2. The Texas Higher Education Coordinating Board shall award scholarships under Subchapter FF, Chapter 61, Education Code, as added by this Act, beginning with the 2010-2011 academic year. The coordinating board shall adopt the rules required by that subchapter as soon as practicable after this Act takes effect.

SECTION 3. This Act does not make an appropriation. A provision in this Act that creates a new governmental

CONFERENCE

House Bill 3452
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

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 2. This Act takes effect September 1, 2009.

SECTION 4. Same as House version.