

House Bill 4244
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SECTION 1. Section 54.064, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) An institution of higher education may charge a nonresident [A] student who holds a competitive scholarship of at least \$1,000 for the academic year or summer term for which the student is enrolled resident tuition and fees [and who is either a nonresident or a citizen of a country other than the United States of America is entitled to pay the fees and charges required of Texas residents] without regard to the length of time the student has resided in Texas. The student must compete with other students, including Texas residents, for the scholarship and the scholarship must be awarded by a scholarship committee officially recognized by the administration and be approved by the Texas Higher Education Coordinating Board under criteria developed

SENATE VERSION

SECTION 1. Section 51.969(c), Education Code, as added by Chapter 422 (S.B. 1325), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

(c) Before receiving [A person applying for] a scholarship originating from and administered by an institution of higher education or university system, a person must file a written statement with the institution or system [the application] indicating whether the person is related within the third degree by consanguinity or the second degree by affinity to a current member of the governing board of the institution or system.

SECTION 2. Section 54.064, Education Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) An institution of higher education may charge a nonresident [A] student who holds a competitive scholarship of at least \$1,000 for the academic year or summer term for which the student is enrolled resident tuition and fees [and who is either a nonresident or a citizen of a country other than the United States of America is entitled to pay the fees and charges required of Texas residents] without regard to the length of time the student has resided in Texas. The student must compete with other students, including Texas residents, for the scholarship and the scholarship must be awarded by a scholarship committee officially recognized by the administration and be approved by the Texas Higher Education Coordinating Board under criteria developed

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by the coordinating board.

(c) A student who would be entitled to pay resident tuition in the 2009-2010 academic year under this section as this section existed on January 1, 2009, because the student is awarded a competitive scholarship for that academic year in the amount prescribed by Subsection (a) before the beginning of the 2009 fall semester is entitled to continue to pay resident tuition under this section as this section existed on January 1, 2009, in each semester or other term in which the student is awarded such a scholarship, as long as the student remains enrolled in the same certificate or degree program. This subsection expires August 1, 2014.

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by the coordinating board.

(c) A student who would be entitled to pay resident tuition in the 2009-2010 academic year under this section as this section existed on January 1, 2009, because the student is awarded a competitive scholarship for that academic year in the amount prescribed by Subsection (a) before the beginning of the 2009 fall semester is entitled to continue to pay resident tuition under this section as this section existed on January 1, 2009, in each semester or other term in which the student is awarded such a scholarship, as long as the student remains enrolled in the same certificate or degree program. This subsection expires August 1, 2014.

(d) The difference between tuition charged to the student under this section and the tuition the student would be charged if this section did not apply to the student shall not be accounted for in such a way as to reduce the general revenue appropriation to an institution of higher education that charges a nonresident student resident tuition and fees under this section.

CONFERENCE

The following rows were presented as identical to the language of the engrossed version of Senate Bill 1849, relating to the student endowment scholarship and internship program fund at The University of Texas at El Paso.

No equivalent provision.

SECTION __. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5351 to read as follows:

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Sec. 54.5351. STUDENT ENDOWMENT FUND FEE; THE UNIVERSITY OF TEXAS AT EL PASO. (a) The board of regents of The University of Texas System may impose a student endowment fund fee on each student enrolled at The University of Texas at El Paso. The fee may not be imposed unless approved by a majority vote of the students participating in a general student election held at the university under Section 56.243.

(b) The amount of the fee may not exceed \$1 per semester for each regular semester or summer session, unless the amount is increased as provided by Subsection (c).

(c) The amount of the fee per semester may be increased from one academic year to the next only if approved by a majority vote of the students of the university participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(d) A fee imposed under this section must be used to establish a student endowment fund under Section 56.247.

(e) A fee imposed under this section is in addition to any other fee authorized by law and may not be considered in determining the maximum amount of student services fees that may be imposed under Section 54.503(b).

(f) The fee may not be charged after the fifth academic year in which the fee is first charged unless, before the end of that academic year, the institution has issued bonds payable from the fee, in which event the fee may

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not be charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid

No equivalent provision.

SECTION __. This Act applies beginning with the 2009 fall semester.

End of SB 1849 language.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected 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.

SECTION 3. Same as House version.