

BILL ANALYSIS

H.B. 1163
By: Keffer
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recent legislation extended the tuition exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold certain certifications or their equivalents. Additional legislation extended the tuition and laboratory fee exemption program for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers. According to interested parties, there are concerns that these two pieces of legislation are in conflict, having changed the same section of the Education Code. H.B. 1163 seeks to resolve this conflict as it relates to tuition and fee exemptions at public institutions of higher education for certain peace officers and firefighters.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 2 of this bill.

ANALYSIS

H.B. 1163 reenacts Section 54.208, Education Code, as amended by Chapters 1285 (H.B. 2013) and 1299 (H.B. 2347), Acts of the 81st Legislature, Regular Session, 2009, relating to tuition and fee exemptions at public institutions of higher education for certain firefighters enrolled in fire science courses.

H.B. 1163 amends the Education Code to require the governing board of an institution of higher education to 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 is employed as a peace officer by the state or by a political subdivision of the state; is enrolled in a criminal justice or law enforcement-related degree program at the institution; is making satisfactory academic progress toward the student's degree as determined by the institution; and 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. The bill prohibits a student from receiving such an exemption 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 as eligible for funding under the appropriations formulas established by the Texas Higher Education Coordinating Board. The bill prohibits the governing board of an institution of higher education from providing 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. The bill makes an exemption provided under these provisions inapplicable to deposits that may be required in the nature of security for the return or proper care of property loaned for the use of students.

H.B. 1163 requires the Texas Higher Education Coordinating Board to adopt rules governing the granting or denial of an exemption under the bill's provisions, including rules relating to the

determination of a student's eligibility for an exemption and a uniform listing of degree programs covered by the exemption. The bill requires the governing board of an institution of higher education, 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 the bill's provision for a semester, to report to the Senate Finance Committee and the House Appropriations Committee the cost to the institution of complying with the provisions for that semester. The bill makes the changes in law made by its provisions applicable to an exemption from tuition and fees beginning with the 2011 fall semester.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.