

## **BILL ANALYSIS**

H.B. 1341  
By: Walle  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, state law and the General Appropriations Act are inconsistent in their treatment of tuition payment dates. Current law provides that tuition and fees must be collected from a student of an institution of higher education before the beginning of the fall or spring semester but the General Appropriations Act states that collection of payments must be made on or before certain class days. Interested parties contend that this area of law fails to address alternative educational terms, such as intersessions, and does not allow sufficient flexibility for a student whose tuition and fees may change after the start of a semester. In addition, interested parties contend that payment errors may affect a student's balance and enrollment status and the formula funding of the institution.

The intent of H.B. 1341 is to eliminate this inconsistency regarding tuition payment dates by giving each institution of higher education the freedom to set its own policy with regard to collection of tuition and mandatory fees. The bill also replaces specific references to semesters with more generic references to reduce confusion associated with registrations that take place outside of the traditional fall, spring, and summer model.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1341 amends the Education Code to clarify that the fees for which, along with tuition, the governing board of each institution of higher education is required to provide alternative payment methods are mandatory fees and that the payment of such tuition and fees is for a semester or a term of 10 weeks or longer, rather than for the fall and spring semesters. The bill changes the payment deadlines from, for the full payment method, a date in advance of the beginning of the semester and, for the installment payment method, a date in advance of the beginning of the semester with the final payment due before the semester's last day to the respective dates established by the institution for purposes of such payment methods. The bill requires an institution of higher education, in providing for the payment of tuition and mandatory fees by installment, to establish subsequent dates at periodic intervals within the applicable semester or term by which subsequent installment payments are due. The bill requires the governing board of each institution of higher education, for a term of less than 10 weeks, rather than for a summer term, to provide for the payment of tuition and mandatory fees by requiring full payment not later than the date established by the institution for purposes of such payment and authorizes the board to provide for the payment of tuition and mandatory fees for a term of less than 10 weeks by requiring payment in installments under one or more payment plan options that require the first payment to be made not later than the date established by the institution for purposes of such payment. The bill removes a provision setting out a payment option for a student enrolled in a summer term in a public junior college, public technical institute, or public state college.

H.B. 1341 prohibits a due date established by an institution of higher education for the payment of tuition and mandatory fees from being later than the date established by the Texas Higher Education Coordinating Board for certifying student enrollment for the semester or term for purposes of formula funding. The bill removes a provision requiring a student who owes a balance of tuition and fees under certain circumstances to pay the balance owed by a certain date. The bill authorizes an institution of higher education to collect, on a due date subsequent to a due date established for a semester, a term of 10 weeks or longer, or a term of less than 10 weeks, unpaid tuition and mandatory fee balances resulting from an adjustment to a student's enrollment status or an administrative action or unpaid residual balances of tuition and mandatory fees constituting less than five percent of the total amount of tuition and mandatory fees charged to the student by the institution for that semester or term.

H.B. 1341 makes its provisions applicable beginning with the payment of tuition and fees at a public institution of higher education for the 2011 fall semester, makes nonsubstantive changes, and makes conforming changes to reflect the clarification of mandatory fees and payment by semester or term, rather than by specific fall or spring semester.

#### **EFFECTIVE DATE**

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