

BILL ANALYSIS

H.B. 1407
By: Lavender
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas A&M University--Texarkana is the only general academic institution in the state of Texas located in a city that sits in two different states. Many students who enroll at the university reside in Arkansas due to the unique bi-state environment, yet if a student living in Arkansas enrolls in an online class at the university, the university does not receive semester credit hour funding because the class is taken by someone residing out of state.

In the mid-1990s, legislation was passed that allowed residents of Oklahoma and Arkansas to pay in-state tuition at a public upper-level institution of higher education, including Texas A&M University--Texarkana. More recent legislation authorized the university to offer lower-division courses, which it has begun to do. Offering lower-division courses makes the previous tuition waiver inapplicable, as the university is no longer classified as an upper-level institution.

H.B. 1407 seeks to remedy these problems by making clarifying changes relating to nonresident tuition and formula funding for certain nonresident students enrolled at the university.

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. 1407 amends the Education Code to remove a reference to a public upper-level institution of higher education and to update that reference to specify Texas A&M University--Texarkana among the institutions of higher education at which the nonresident tuition fee does not apply to a registered nonresident student who is a resident of Arkansas, Louisiana, New Mexico, or Oklahoma, if the institution is situated in a county immediately adjacent to the state in which the nonresident student resides. The bill specifies that payment of resident tuition at Texas A&M University--Texarkana does not affect the constitutionally dedicated funding to which institutions of higher education are entitled. The bill requires the Texas Higher Education Coordinating Board, in the appropriations formula that is applicable to the university for funding instruction and operations, to include any semester credit hours taught through distance education to students enrolled at that university who reside in another state, pay tuition at the rate charged to Texas residents, and reside in a county in the other state that is contiguous to the county in which the university is located. The bill makes conforming and nonsubstantive changes.

EFFECTIVE DATE

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