

BILL ANALYSIS

S.B. 1734
By: Van de Putte
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The State of Texas has made it a policy decision to offer tuition and fee waivers at public institutions of higher education for certain military veterans, in particular, those who have served more than 181 days on active duty and were honorably discharged. The intent of this policy seems aimed at providing a benefit to those who have chosen to make a sacrifice in the defense of the state and nation.

Since September 11, 2001, and the subsequent military actions in Afghanistan and Iraq, numerous members of the Texas National Guard and Texas Air National Guard have been called to active duty to serve in defense of the nation.

While many members of the Texas National Guard and Texas Air National Guard who have been called to active duty ultimately reach the 181-day threshold, some do not, particularly if they become injured, are treated, and released from active duty, prior to reaching the 181st day. Additionally, other members may serve in the combat zone, but on orders that fall short of 181 days.

S.B. 1734 amends current law to extend a certain tuition waiver program to include members of the Texas National Guard and Texas Air National Guard that were assigned to a theater of combat operations with the armed forces of the United States.

As proposed, S.B. 1734 amends current law relating to tuition and fee exemptions at public institutions of higher education for certain Texas military veterans.

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

SECTION 1. Amends Section 54.203, Education Code, by adding Subsection (a-3) to provide that, notwithstanding Subsection (a)(4), a person who meets the requirements of Subsection (a)(4), other than the requirement that the person must have served on active military duty for more than the stated number of days, is entitled to the exemption provided by Subsection (a)(4) regardless of the length of the member's active military duty if the person was a member of the Texas National Guard or the Texas Air National Guard who was assigned to a theater of combat operation with the armed forces of the United States.

SECTION 2. Provides that Section 54.203(a-3), Education Code, as added by this Act, applies beginning with tuition and fees at a public institution of higher education for the 2011 fall semester. Provides that tuition and fees for a term or semester before the 2011 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: upon passage or September 1, 2011.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2011.