

By: Flynn

H.B. No. 866

A BILL TO BE ENTITLED

AN ACT

relating to tuition assistance for members of the Texas State Guard.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. ASSISTANCE FOR TUITION AND FEES FOR MEMBERS
OF TEXAS STATE GUARD

Sec. 56.501. PURPOSE. Because the Texas State Guard is the state's only organized, trained, and equipped military force under the direction of the governor available to respond to natural and man-made disasters, assistance for tuition and mandatory fees is provided under this subchapter to eligible members of the Texas State Guard to encourage voluntary membership, to improve the education level of its members, to diversify the composition of the forces, and to enhance the state's workforce.

Sec. 56.502. EXEMPTION. An institution of higher education shall exempt an eligible person from the payment of tuition and mandatory fees for the semester credit hours for which the person enrolls, not to exceed a total of 120 semester credit hours. If the person is not charged tuition at the rate provided for other Texas residents, the amount of the exemption may not exceed the amount of tuition the person would be charged as a Texas resident for the number of semester credit hours for which the person enrolls, not to

1 exceed 120 semester credit hours.

2 Sec. 56.503. ELIGIBILITY. To be eligible to receive an
3 exemption under this subchapter, a person must:

4 (1) be a member in good standing for at least one
5 calendar year, as certified by the adjutant general, of the Texas
6 State Guard; and

7 (2) commit to serve the Texas State Guard as follows:

8 (A) for an undergraduate program, eight years,
9 four years of which must be served while enrolled in an institution
10 of higher education and four years of which must be served following
11 the period of enrollment; and

12 (B) for a graduate program, five years, two years
13 of which must be served while enrolled in an institution of higher
14 education and three years of which must be served following the
15 period of enrollment.

16 Sec. 56.504. REPAYMENT. The Texas Higher Education
17 Coordinating Board by rule shall require a person who does not
18 fulfill the commitment to serve in the Texas State Guard under
19 Section 56.503(2) to repay the amount of all tuition and mandatory
20 fees for which the person received an exemption under this
21 subchapter to the institution of higher education from which the
22 person received the exemption.

23 Sec. 56.505. RULES. The Texas Higher Education
24 Coordinating Board shall adopt rules as necessary for the
25 administration of this subchapter.

26 SECTION 2. Section 54.2155, Education Code, and Section
27 431.090, Government Code, are repealed.

1 SECTION 3. (a) The changes in law made by this Act apply
2 beginning with the 2011 fall semester.

3 (b) The Texas Higher Education Coordinating Board shall
4 adopt rules for the administration of Subchapter S, Chapter 56,
5 Education Code, as added by this Act, as soon as practicable after
6 this Act takes effect. For that purpose, the coordinating board may
7 adopt the rules in the manner provided by law for emergency rules.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2011.