

AN ACT

relating to tuition and fee exemptions at public institutions of higher education for certain peace officers and firefighters.

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

SECTION 1. 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, is reenacted to read as follows:

Sec. 54.208. FIREFIGHTERS ENROLLED IN FIRE SCIENCE COURSES.

(a) The governing board of an institution of higher education shall exempt from the payment of tuition and laboratory fees any student enrolled in one or more courses offered as part of a fire science curriculum who:

(1) is employed as a firefighter by a political subdivision of this state; or

(2) is currently, and has been for at least one year, an active member of an organized volunteer fire department in this state, as defined by the fire fighters' pension commissioner, who holds:

(A) an Accredited Advanced level of certification, or an equivalent successor certification, under the State Firemen's and Fire Marshals' Association of Texas volunteer certification program; or

(B) Phase V (Firefighter II) certification, or an

1 equivalent successor certification, under the Texas Commission on
2 Fire Protection's voluntary certification program under Section
3 419.071, Government Code.

4 (b) An exemption provided under this section does not apply
5 to deposits that may be required in the nature of security for the
6 return or proper care of property loaned for the use of students.

7 (c) Notwithstanding Subsection (a), a student who for a
8 semester or term at an institution of higher education receives an
9 exemption under this section may continue to receive the exemption
10 for a subsequent semester or term at any institution only if the
11 student makes satisfactory academic progress toward a degree or
12 certificate at that institution as determined by the institution
13 for purposes of financial aid.

14 (d) Notwithstanding Subsection (a), the exemption provided
15 under this section does not apply to any amount of additional
16 tuition the institution elects to charge a resident undergraduate
17 student under Section 54.014(a) or (f).

18 (e) Notwithstanding Subsection (a), the exemption provided
19 under this section does not apply to any amount of tuition the
20 institution charges a graduate student in excess of the amount of
21 tuition charged to similarly situated graduate students because the
22 student has a number of semester credit hours of doctoral work in
23 excess of the applicable number provided by Section 61.059(1)(1) or
24 (2).

25 (f) The Texas Higher Education Coordinating Board shall
26 adopt:

27 (1) rules governing the granting or denial of an

1 exemption under this section, including rules relating to the
2 determination of a student's eligibility for an exemption; and

3 (2) a uniform listing of degree programs covered by
4 the exemption under this section.

5 SECTION 2. Subchapter D, Chapter 54, Education Code, is
6 amended by adding Section 54.2081 to read as follows:

7 Sec. 54.2081. PEACE OFFICERS ENROLLED IN CERTAIN COURSES.

8 (a) The governing board of an institution of higher education
9 shall exempt from the payment of tuition and laboratory fees
10 charged by the institution for a criminal justice or law
11 enforcement course or courses an undergraduate student who:

12 (1) is employed as a peace officer by this state or by
13 a political subdivision of this state;

14 (2) is enrolled in a criminal justice or law
15 enforcement-related degree program at the institution;

16 (3) is making satisfactory academic progress toward
17 the student's degree as determined by the institution; and

18 (4) applies for the exemption at least one week before
19 the last date of the institution's regular registration period for
20 the applicable semester or other term.

21 (b) Notwithstanding Subsection (a), a student may not
22 receive an exemption under this section for any course if the
23 student has previously attempted a number of semester credit hours
24 for courses taken at any institution of higher education while
25 classified as a resident student for tuition purposes in excess of
26 the maximum number of those hours specified by Section 61.0595(a)
27 as eligible for funding under the formulas established under

1 Section 61.059.

2 (c) Notwithstanding Subsection (a), the governing board of
3 an institution of higher education may not provide exemptions under
4 this section to students enrolled in a specific class in a number
5 that exceeds 20 percent of the maximum student enrollment
6 designated by the institution for that class.

7 (d) An exemption provided under this section does not apply
8 to deposits that may be required in the nature of security for the
9 return or proper care of property loaned for the use of students.

10 (e) The Texas Higher Education Coordinating Board shall
11 adopt:

12 (1) rules governing the granting or denial of an
13 exemption under this section, including rules relating to the
14 determination of a student's eligibility for an exemption; and

15 (2) a uniform listing of degree programs covered by
16 the exemption under this section.

17 (f) If the legislature does not specifically appropriate
18 funds to an institution of higher education in an amount sufficient
19 to pay the institution's costs in complying with this section for a
20 semester, the governing board of the institution of higher
21 education shall report to the Senate Finance Committee and the
22 House Appropriations Committee the cost to the institution of
23 complying with this section for that semester.

24 SECTION 3. The changes in law made by this Act apply to an
25 exemption from tuition and fees beginning with the 2011 fall
26 semester.

27 SECTION 4. This Act takes effect immediately if it receives

H.B. No. 1163

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2011.

H.B. No. 1163

President of the Senate

Speaker of the House

I certify that H.B. No. 1163 was passed by the House on April 21, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1163 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor