

1-1 By: Branch (Senate Sponsor - Carona) H.B. No. 2907  
1-2 (In the Senate - Received from the House April 27, 2011;  
1-3 May 2, 2011, read first time and referred to Committee on Higher  
1-4 Education; May 12, 2011, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 May 12, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2907 By: Duncan

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the requirements for and procedures governing tuition  
1-11 equalization grants.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Sections 61.221 and 61.224, Education Code, are  
1-14 amended to read as follows:

1-15 Sec. 61.221. TUITION EQUALIZATION GRANTS AUTHORIZED. In  
1-16 order to provide the maximum possible utilization of existing  
1-17 educational resources and facilities within this state, both public  
1-18 and private, the coordinating board is authorized to provide  
1-19 tuition equalization grants to Texas residents enrolled in any  
1-20 approved private Texas college or university, based on student  
1-21 financial need, but not to exceed a grant amount of more than that  
1-22 specified in the appropriation by the legislature or as provided by  
1-23 Section 61.227.

1-24 Sec. 61.224. APPLICATION OF GENERAL APPROPRIATIONS ACT  
1-25 RIDERS. Those riders in the General Appropriations Act that apply  
1-26 to expenditure of state funds at state-supported colleges and  
1-27 universities shall also apply to expenditure of state funds at any  
1-28 college or university attended by a [which any] student receiving  
1-29 aid under this subchapter [may attend].

1-30 SECTION 2. Section 61.225(b), Education Code, is amended to  
1-31 read as follows:

1-32 (b) To be eligible for a tuition equalization grant, a  
1-33 person must:

1-34 (1) be a Texas resident as defined under Subchapter B,  
1-35 Chapter 54, [by the coordinating board] and meet, at a minimum, the  
1-36 resident requirements defined by law for Texas resident tuition in  
1-37 fully state-supported institutions of higher education;

1-38 (2) be enrolled for at least one-half of a full course  
1-39 load conforming to an individual degree plan in an approved college  
1-40 or university;

1-41 (3) be required to pay more tuition than is required at  
1-42 a public college or university and be charged no less than the  
1-43 regular tuition required of all students enrolled at the  
1-44 institution;

1-45 (4) establish financial need in accordance with  
1-46 procedures and regulations of the coordinating board;

1-47 (5) not be a recipient of any form of athletic  
1-48 scholarship while receiving the tuition equalization grant; and

1-49 (6) have complied with other requirements adopted by  
1-50 the coordinating board under this subchapter.

1-51 SECTION 3. Sections 61.2251(b), (c), and (e), Education  
1-52 Code, as added by Chapter 1230 (H.B. 1172), Acts of the 79th  
1-53 Legislature, Regular Session, 2005, are amended to read as follows:

1-54 (b) To be eligible for a tuition equalization grant in the  
1-55 first academic year in which the person receives the grant, a person  
1-56 must:

1-57 (1) be a Texas resident as defined under Subchapter B,  
1-58 Chapter 54, [by the coordinating board] and meet, at a minimum, the  
1-59 resident requirements defined by law for Texas resident tuition in  
1-60 fully state-supported institutions of higher education;

1-61 (2) be enrolled in at least three-fourths of a full  
1-62 course load conforming to an individual degree plan in an approved  
1-63 college or university;

2-1 (3) be required to pay more tuition than is required at  
2-2 a public college or university and be charged no less than the  
2-3 regular tuition required of all students enrolled at the  
2-4 institution;

2-5 (4) establish financial need in accordance with  
2-6 procedures and regulations of the coordinating board;

2-7 (5) not be a recipient of any form of athletic  
2-8 scholarship while receiving a tuition equalization grant;

2-9 (6) make satisfactory academic progress toward a  
2-10 degree or certificate as determined by the institution at which the  
2-11 person is enrolled; and

2-12 (7) have complied with other requirements adopted by  
2-13 the coordinating board under this subchapter.

2-14 (c) After qualifying for a tuition equalization grant under  
2-15 Subsection (b), a person may receive a tuition equalization grant  
2-16 in a subsequent academic year in which the person is enrolled at an  
2-17 approved institution only if the person:

2-18 (1) meets the requirements of Subsection (b),  
2-19 including, as of the end of the full academic year in which the  
2-20 person initially receives a tuition equalization grant, making  
2-21 satisfactory academic progress toward a degree or certificate as  
2-22 determined by the institution at which the person is enrolled;

2-23 (2) as of the end of each subsequent academic year in  
2-24 which the person receives a tuition equalization grant, has  
2-25 completed at least:

2-26 (A) 24 semester credit hours in the person's most  
2-27 recent full academic year, if the person is enrolled in an  
2-28 undergraduate degree or certificate program; or

2-29 (B) 18 semester credit hours in the person's most  
2-30 recent full academic year, if the person is enrolled in a graduate  
2-31 or professional degree program; ~~and~~

2-32 (3) has earned an overall grade point average of at  
2-33 least 2.5 on a four-point scale or the equivalent on coursework  
2-34 previously attempted at public or private institutions of higher  
2-35 education; and

2-36 (4) has completed at least 75 percent of the semester  
2-37 credit hours attempted in the person's most recent full academic  
2-38 year.

2-39 (e) The coordinating board shall adopt rules to allow a  
2-40 person who is otherwise eligible to receive a tuition equalization  
2-41 grant, in the event of a hardship or for other good cause shown, to  
2-42 receive a tuition equalization grant if the person does not:

2-43 (1) make satisfactory academic progress as required  
2-44 under Subsection (b)(6) or (c)(1);

2-45 (2) complete the semester credit hours required by  
2-46 Subsection (c)(2) or (4);

2-47 (3) maintain the grade point average required by  
2-48 Subsection (c)(3); or

2-49 (4) complete the person's certificate or degree  
2-50 program within the period prescribed by Subsection (d).

2-51 SECTION 4. Section 61.2251, Education Code, as added by  
2-52 Chapter 1181 (S.B. 1227), Acts of the 79th Legislature, Regular  
2-53 Session, 2005, is redesignated as Section 61.2252, Education Code,  
2-54 to read as follows:

2-55 Sec. 61.2252 [~~61.2251~~]. REESTABLISHING ELIGIBILITY FOR  
2-56 GRANT. If a person who receives an initial tuition equalization  
2-57 grant after the 2004-2005 academic year fails to meet any of the  
2-58 applicable requirements of this subchapter after the completion of  
2-59 any semester or term, the person may not receive a tuition  
2-60 equalization grant during the next semester or term in which the  
2-61 person enrolls. The person may become eligible to receive a  
2-62 tuition equalization grant in a subsequent semester or term if the  
2-63 person:

2-64 (1) completes a semester or term during which the  
2-65 student is not eligible for a tuition equalization grant; and

2-66 (2) meets all the applicable requirements of this  
2-67 subchapter.

2-68 SECTION 5. Sections 61.227(a), (b), and (e), Education  
2-69 Code, are amended to read as follows:

3-1 (a) On determination of a person's ~~[receipt of a~~  
3-2 ~~certification of the amount of]~~ financial need ~~[from an approved~~  
3-3 ~~institution]~~, the institution at which the student is enrolled  
3-4 ~~[coordinating board]~~ shall certify the amount of the tuition  
3-5 equalization grant based on financial need but not to exceed a grant  
3-6 amount of more than that specified in the appropriation by the  
3-7 legislature, or more than the difference between the tuition at the  
3-8 private institution attended and the tuition at public colleges and  
3-9 universities.

3-10 (b) The proper amount of the tuition equalization grant  
3-11 shall be paid to the student through the college or university in  
3-12 which the student ~~[he]~~ is enrolled.

3-13 (e) Notwithstanding any restrictions provided by Subsection  
3-14 (c) on the amount of a grant, a tuition equalization grant for an  
3-15 academic period for an undergraduate student who establishes  
3-16 exceptional financial need in accordance with the procedures and  
3-17 rules of the coordinating board may be certified by the institution  
3-18 at which the undergraduate student is enrolled ~~[coordinating board]~~  
3-19 in an amount not to exceed 150 percent of the amount of the grant  
3-20 that the student would otherwise have been awarded for that period  
3-21 under the other provisions of this section.

3-22 SECTION 6. Section 61.230, Education Code, is amended to  
3-23 read as follows:

3-24 Sec. 61.230. ANNUAL REPORT. ~~[(a)]~~ The coordinating board  
3-25 shall include in its annual report to the legislature on financial  
3-26 aid in this state a breakdown of tuition equalization grant  
3-27 recipients by ethnicity indicating the percentage of each ethnic  
3-28 group that received tuition equalization grant money ~~[for each~~  
3-29 ~~academic year]~~ at each institution.

3-30 SECTION 7. The changes in law made by this Act apply  
3-31 beginning with tuition equalization grants awarded for the  
3-32 2011-2012 academic year. A tuition equalization grant awarded for  
3-33 an academic year before that academic year is covered by the law in  
3-34 effect when the grant was awarded, and that law is continued in  
3-35 effect for that purpose.

3-36 SECTION 8. This Act takes effect immediately if it receives  
3-37 a vote of two-thirds of all the members elected to each house, as  
3-38 provided by Section 39, Article III, Texas Constitution. If this  
3-39 Act does not receive the vote necessary for immediate effect, this  
3-40 Act takes effect September 1, 2011.

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