

By: Patrick, Otto, Pickett, Villarreal,
Lucio III

H.B. No. 3470

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Armed Services Scholarship Program.

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

SECTION 1. Section 61.9772(a), Education Code, is amended to read as follows:

(a) To receive an initial scholarship under this subchapter, a student must:

(1) be enrolled [~~as a freshman~~] in a public or private institution of higher education in this state;

(2) enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program while enrolled in a public or private institution of higher education in this state;

(3) be appointed to receive a scholarship by the governor, the lieutenant governor, a state senator, or a state representative; and

(4) enter into an agreement with the board under Section 61.9773.

SECTION 2. Section 61.9773(a), Education Code, is amended to read as follows:

(a) To receive a scholarship under this subchapter, a student must enter into an agreement with the board as provided by this section. The agreement must require the student to:

(1) complete four years of ROTC training;

(2) graduate not later than six [~~five~~] years after the

1 date the student first enrolls in a public or private institution of
2 higher education in this state;

3 (3) after graduation, enter into:

4 (A) a four-year commitment to be a member of the
5 Texas Army National Guard, Texas [~~or~~] Air [~~Force~~] National Guard,
6 Texas State Guard, United States Coast Guard, or United States
7 Merchant Marine; or

8 (B) a contract to serve as a commissioned officer
9 in any branch of the armed services of the United States;

10 (4) meet the physical examination requirements and all
11 other prescreening requirements of the Texas Army National Guard,
12 Texas [~~or~~] Air [~~Force~~] National Guard, Texas State Guard, United
13 States Coast Guard, or United States Merchant Marine or the branch
14 of the armed services with which the student enters into a contract;
15 and

16 (5) agree to repay the scholarship if the student:

17 (A) fails to maintain satisfactory academic
18 progress;

19 (B) withdraws from the scholarship program; or

20 (C) fails to fulfill a commitment or contract
21 described by Subdivision (3).

22 SECTION 3. Sections 61.9774 and 61.9775, Education Code,
23 are amended to read as follows:

24 Sec. 61.9774. RULES. [~~(a)~~] The board shall adopt rules as
25 necessary for the administration of this subchapter, including
26 rules regarding the eligibility criteria and the selection of
27 scholarship recipients.

1 ~~[(b) The board by rule shall provide that any amount paid to~~
2 ~~a student by a branch of the armed services of the United States~~
3 ~~during an academic year for which the student receives a~~
4 ~~scholarship under this subchapter because the student is under a~~
5 ~~contract with that branch shall be deducted from the amount of the~~
6 ~~scholarship awarded to the student for that academic year.]~~

7 Sec. 61.9775. LIMITATIONS [~~LIMITATION~~] ON SCHOLARSHIP. (a)
8 A person may not receive a scholarship under this subchapter after
9 earning a cumulative total of 150 credit hours or after being
10 awarded a baccalaureate degree, whichever occurs first.

11 (b) A scholarship awarded to a student under this subchapter
12 shall be reduced for an academic year by the amount by which the
13 full amount of the scholarship plus the total amount to be paid to
14 the student for being under contract with one of the branches of the
15 armed services of the United States exceeds the student's total
16 cost of attendance for that academic year at the public or private
17 institution of higher education in which the student is enrolled.

18 SECTION 4. The Texas Higher Education Coordinating Board
19 shall adopt rules for the administration of Subchapter FF, Chapter
20 61, Education Code, as amended by this Act, as soon as practicable
21 after this Act takes effect. For that purpose, the coordinating
22 board may adopt the rules in the manner provided by law for
23 emergency rules.

24 SECTION 5. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.