

1-1 By: Hinojosa S.B. No. 145
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Higher Education;
1-4 April 18, 2011, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 18, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to student loan repayment assistance for nurses employed
1-9 as faculty members at certain institutions of higher education.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 61, Education Code, is amended by adding
1-12 Subchapter GG to read as follows:

1-13 SUBCHAPTER GG. NURSING FACULTY LOAN REPAYMENT ASSISTANCE PROGRAM

1-14 Sec. 61.9781. REPAYMENT AUTHORIZED. The board shall
1-15 establish and administer a program to provide, in accordance with
1-16 this subchapter and board rules, assistance in the repayment of
1-17 student loans for nurses who:

1-18 (1) are serving on the faculties of nursing degree
1-19 programs at institutions of higher education or private or
1-20 independent institutions of higher education in positions that
1-21 require an advanced degree in professional nursing; and

1-22 (2) apply and qualify for the assistance.

1-23 Sec. 61.9782. ELIGIBILITY. To be eligible to receive loan
1-24 repayment assistance under this subchapter, a nurse must:

1-25 (1) apply to the board;

1-26 (2) at the time of application for repayment
1-27 assistance have been employed full-time for at least one year as,
1-28 and be currently employed full-time as, a faculty member of a
1-29 nursing degree program at an institution of higher education or a
1-30 private or independent institution of higher education; and

1-31 (3) comply with any additional requirements adopted by
1-32 board rule.

1-33 Sec. 61.9783. LIMITATIONS. (a) On qualifying for loan
1-34 repayment assistance under this subchapter, a nurse may receive
1-35 repayment assistance for each year of full-time employment as a
1-36 faculty member of a nursing degree program at an institution of
1-37 higher education or private or independent institution of higher
1-38 education, not to exceed five years.

1-39 (b) The amount of loan repayment assistance received by a
1-40 nurse under this subchapter may not exceed \$5,000 in any one year.

1-41 (c) The total amount of loan repayment assistance provided
1-42 under this subchapter may not exceed the total amount of gifts and
1-43 grants accepted by the board for the repayment assistance,
1-44 legislative appropriations for the repayment assistance, and other
1-45 funds available to the board for the repayment assistance,
1-46 including any money reallocated under Section 61.9786.

1-47 Sec. 61.9784. ELIGIBLE LOANS. (a) The board may provide
1-48 repayment assistance for the repayment of any student loan for
1-49 education at any public or private institution of higher education,
1-50 including a loan for undergraduate education, received by an
1-51 eligible person through any lender.

1-52 (b) The board may not provide repayment assistance for a
1-53 student loan that is in default at the time of the nurse's
1-54 application.

1-55 Sec. 61.9785. REPAYMENT. (a) The board shall deliver any
1-56 repayment under this subchapter in a lump sum:

1-57 (1) payable to both the lender or other holder of the
1-58 loan and the nurse; or

1-59 (2) directly to the lender or other holder of the loan
1-60 on the nurse's behalf.

1-61 (b) A repayment under this subchapter may be applied to any
1-62 amount due in connection with the loan.

1-63 Sec. 61.9786. REALLOCATION OF MONEY. (a) In each state
1-64 fiscal year, the board shall reallocate for loan repayment

2-1 assistance under this subchapter for a particular year any money in
2-2 the physician education loan repayment program account established
2-3 under Section 61.5391 that exceeds the amount necessary in that
2-4 fiscal year for purposes of repayment assistance under Subchapter
2-5 J.

2-6 (b) Each year money reallocated under this section may be
2-7 used to fund loan repayment assistance for not more than 50 eligible
2-8 applicants.

2-9 (c) Any money reallocated under Subsection (a) in a fiscal
2-10 year that is not used for loan repayment assistance under this
2-11 subchapter in that fiscal year is treated as if that unused amount
2-12 had not been reallocated in that fiscal year.

2-13 Sec. 61.9787. SOLICITATION AND ACCEPTANCE OF GIFTS. The
2-14 board may solicit and accept gifts and grants from any source for
2-15 the purposes of this subchapter.

2-16 Sec. 61.9788. RULES. (a) The board shall adopt rules as
2-17 necessary to administer this subchapter.

2-18 (b) The board shall distribute a copy of the rules adopted
2-19 under this section and pertinent information regarding this
2-20 subchapter to:

2-21 (1) each institution of higher education and private
2-22 or independent institution of higher education;

2-23 (2) any appropriate state agency; and

2-24 (3) any appropriate professional association.

2-25 SECTION 2. Subsection (b), Section 61.5391, Education Code,
2-26 is amended to read as follows:

2-27 (b) Money in the account may not be appropriated for any
2-28 purpose except:

2-29 (1) to provide loan repayment assistance to eligible
2-30 physicians under this subchapter; or

2-31 (2) to provide loan repayment assistance under
2-32 Subchapter GG if reallocated under Section 61.9786.

2-33 SECTION 3. The Texas Higher Education Coordinating Board
2-34 shall adopt the rules for loan repayment assistance under
2-35 Subchapter GG, Chapter 61, Education Code, as added by this Act, not
2-36 later than December 1, 2011.

2-37 SECTION 4. This Act takes effect immediately if it receives
2-38 a vote of two-thirds of all the members elected to each house, as
2-39 provided by Section 39, Article III, Texas Constitution. If this
2-40 Act does not receive the vote necessary for immediate effect, this
2-41 Act takes effect September 1, 2011.

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