

1-1 By: Eltife S.B. No. 1272
1-2 (In the Senate - Filed March 8, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Higher Education;
1-4 March 31, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; March 31, 2011, sent to printer.)

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

1-8 relating to tuition rates and formula funding for certain
1-9 nonresident students enrolled at Texas A&M University--Texarkana.

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

1-11 SECTION 1. Subsections (a) and (f), Section 54.060,
1-12 Education Code, are amended to read as follows:

1-13 (a) The nonresident tuition fee prescribed by this chapter
1-14 does not apply to a nonresident student who is a resident of
1-15 Arkansas, Louisiana, New Mexico, or Oklahoma and who registers in
1-16 Texas A&M University--Texarkana [~~a public upper-level institution~~
1-17 ~~of higher education~~], Lamar State College--Orange, Lamar State
1-18 College--Port Arthur, a Texas public junior college, or a public
1-19 technical institute, if the institution [~~that~~] is situated in a
1-20 county immediately adjacent to the state in which the nonresident
1-21 student resides. The nonresident tuition fee prescribed by this
1-22 chapter does not apply to a nonresident student who is a resident of
1-23 New Mexico or Oklahoma and who registers in a public technical
1-24 institute that is situated in a county that is within 100 miles of
1-25 the state in which the nonresident student resides and who is
1-26 admitted for the purpose of utilizing available instructional
1-27 facilities. The nonresident student described in this subsection
1-28 shall pay an amount equivalent to the amount charged a Texas student
1-29 registered at a similar school in the state in which the nonresident
1-30 student resides. [~~For purposes of this subsection, "public~~
1-31 ~~upper-level institution of higher education" means an institution~~
1-32 ~~of higher education that offers only junior-level and senior-level~~
1-33 ~~courses or only junior-level, senior-level, and graduate-level~~
1-34 ~~courses.~~]

1-35 (f) The payment of resident tuition at Texas A&M
1-36 University--Texarkana, Lamar State College--Orange, Lamar State
1-37 College--Port Arthur, or a public technical institute as authorized
1-38 by Subsection (a) or at an institution of higher education as
1-39 authorized by Subsection (g) does not affect the constitutionally
1-40 dedicated funding to which institutions of higher education are
1-41 entitled under Article VII, Section 17, of the Texas Constitution.

1-42 SECTION 2. Section 61.059, Education Code, is amended by
1-43 adding Subsection (n) to read as follows:

1-44 (n) In the formula applicable to Texas A&M
1-45 University--Texarkana for funding instruction and operations, the
1-46 board shall include any semester credit hours taught through
1-47 distance education to students enrolled at that university who
1-48 reside in another state and:

1-49 (1) as permitted by Section 54.060(a), pay tuition at
1-50 the rate charged to residents of this state; and

1-51 (2) reside in a county in the other state that is
1-52 contiguous to the county in which the university is located.

1-53 SECTION 3. This Act takes effect immediately if it receives
1-54 a vote of two-thirds of all the members elected to each house, as
1-55 provided by Section 39, Article III, Texas Constitution. If this
1-56 Act does not receive the vote necessary for immediate effect, this
1-57 Act takes effect September 1, 2011.

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