

By: Zaffirini, Birdwell

S.B. No. 1724

A BILL TO BE ENTITLED

AN ACT

relating to conditions on the receipt of tuition and fee exemptions at public institutions of higher education.

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

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.2001 to read as follows:

Sec. 54.2001. CONTINUED RECEIPT OF EXEMPTIONS CONDITIONAL.

(a) Notwithstanding any other law but subject to Subsection (f), after initially qualifying under this subchapter for a mandatory or discretionary exemption from the payment of tuition or other fees for enrollment during a semester or term at an institution of higher education, a person may continue to receive the exemption for a subsequent semester or term only if the person:

(1) maintains a grade point average that satisfies the institution's grade point average requirement for making satisfactory academic progress toward a degree or a certificate in accordance with the institution's policy regarding eligibility for financial aid; and

(2) as of the beginning of the semester or term, has not completed more than 30 semester credit hours, or a greater number of hours as permitted by the institution on a showing of good cause, in excess of the minimum number of semester credit hours required to complete the person's degree or certificate program.

(b) For purposes of Subsection (a)(2), the computation of a

1 person's total number of completed semester credit hours includes
2 transfer credit hours that count toward the person's degree or
3 certificate program course requirements, but excludes:

4 (1) hours earned exclusively by examination;

5 (2) hours earned for a course for which the person
6 received credit toward the person's high school academic
7 requirements; and

8 (3) hours earned for developmental coursework that an
9 institution of higher education required the person to take under
10 Section 51.3062 or under the former provisions of Section 51.306.

11 (c) If on the completion of any semester or term a person
12 fails to meet any requirement of Subsection (a), the person may not
13 receive an exemption from the payment of tuition or other fees
14 described by Subsection (a) for the next semester or term in which
15 the person enrolls. A person may become eligible to receive an
16 exemption in a subsequent semester or term if the person:

17 (1) completes a semester or term during which the
18 person is not eligible for an exemption; and

19 (2) meets each requirement of Subsection (a).

20 (d) Each institution of higher education shall adopt a
21 policy to allow a student who fails to maintain a grade point
22 average as required by Subsection (a)(1) to receive an exemption in
23 any semester or term on a showing of hardship or other good cause,
24 including:

25 (1) a showing of a severe illness or other
26 debilitating condition that could affect the student's academic
27 performance;

1 (2) an indication that the student is responsible for
2 the care of a sick, injured, or needy person and that the student's
3 provision of care could affect the student's academic performance;

4 (3) the student's active duty or other service in the
5 United States armed forces; or

6 (4) any other cause considered acceptable by the
7 institution.

8 (e) An institution of higher education shall maintain
9 documentation of each exception granted to a student under
10 Subsection (d).

11 (f) If a requirement imposed by this section for the
12 continued receipt of a specific exemption conflicts with another
13 requirement imposed by statute for that exemption, the stricter
14 requirement prevails.

15 (g) This section does not apply to:

16 (1) the exemption provided by Section 54.216 or to any
17 other exemption provided to a high school student for enrollment in
18 a dual credit course or other course for which the student may earn
19 joint high school and college credit; or

20 (2) any provision of this code that authorizes or
21 requires the payment of tuition or fees at the rates provided for
22 residents of this state by a person who is not a resident of this
23 state for purposes of Subchapter B.

24 SECTION 2. The change in law made by this Act applies to
25 eligibility for an exemption from the payment of tuition or other
26 fees beginning with tuition and fees charged for the 2012 fall
27 semester.

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