

1-1 By: Zaffirini S.B. No. 1724
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Higher Education;
1-4 May 6, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; May 6, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1724 By: Watson

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

1-10 relating to conditions on the receipt of tuition and fee exemptions
1-11 at public institutions of higher education.

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

1-13 SECTION 1. Subchapter D, Chapter 54, Education Code, is
1-14 amended by adding Section 54.2001 to read as follows:

1-15 Sec. 54.2001. CONTINUED RECEIPT OF EXEMPTIONS CONDITIONAL.

1-16 (a) Notwithstanding any other law but subject to Subsection (f),
1-17 after initially qualifying under this subchapter for a mandatory or
1-18 discretionary exemption from the payment of tuition or other fees
1-19 for enrollment during a semester or term at an institution of higher
1-20 education, a person may continue to receive the exemption for a
1-21 subsequent semester or term only if the person:

1-22 (1) maintains a grade point average that satisfies the
1-23 institution's grade point average requirement for making
1-24 satisfactory academic progress toward a degree or a certificate in
1-25 accordance with the institution's policy regarding eligibility for
1-26 financial aid; and

1-27 (2) as of the beginning of the semester or term, has
1-28 not completed more than 30 semester credit hours, or a greater
1-29 number of hours as permitted by the institution on a showing of good
1-30 cause, in excess of the minimum number of semester credit hours
1-31 required to complete the person's degree or certificate program.

1-32 (b) For purposes of Subsection (a)(2), the computation of a
1-33 person's total number of completed semester credit hours includes
1-34 transfer credit hours that count toward the person's degree or
1-35 certificate program course requirements, but excludes:

1-36 (1) hours earned exclusively by examination;
1-37 (2) hours earned for a course for which the person
1-38 received credit toward the person's high school academic
1-39 requirements; and

1-40 (3) hours earned for developmental coursework that an
1-41 institution of higher education required the person to take under
1-42 Section 51.3062 or under the former provisions of Section 51.306.

1-43 (c) If on the completion of any semester or term a person
1-44 fails to meet any requirement of Subsection (a), the person may not
1-45 receive an exemption from the payment of tuition or other fees
1-46 described by Subsection (a) for the next semester or term in which
1-47 the person enrolls. A person may become eligible to receive an
1-48 exemption in a subsequent semester or term if the person:

1-49 (1) completes a semester or term during which the
1-50 person is not eligible for an exemption; and

1-51 (2) meets each requirement of Subsection (a).

1-52 (d) Each institution of higher education shall adopt a
1-53 policy to allow a student who fails to maintain a grade point
1-54 average as required by Subsection (a)(1) to receive an exemption in
1-55 any semester or term on a showing of hardship or other good cause,
1-56 including:

1-57 (1) a showing of a severe illness or other
1-58 debilitating condition that could affect the student's academic
1-59 performance;

1-60 (2) an indication that the student is responsible for
1-61 the care of a sick, injured, or needy person and that the student's
1-62 provision of care could affect the student's academic performance;

1-63 (3) the student's active duty or other service in the

2-1 United States armed forces; or
 2-2 (4) any other cause considered acceptable by the
 2-3 institution.
 2-4 (e) An institution of higher education shall maintain
 2-5 documentation of each exception granted to a student under
 2-6 Subsection (d).
 2-7 (f) If a requirement imposed by this section for the
 2-8 continued receipt of a specific exemption conflicts with another
 2-9 requirement imposed by statute for that exemption, the stricter
 2-10 requirement prevails.
 2-11 (g) This section does not apply to:
 2-12 (1) the exemption provided by Section 54.216 or to any
 2-13 other exemption provided to a high school student for enrollment in
 2-14 a dual credit course or other course for which the student may earn
 2-15 joint high school and college credit; or
 2-16 (2) any provision of this code that authorizes or
 2-17 requires the payment of tuition or fees at the rates provided for
 2-18 residents of this state by a person who is not a resident of this
 2-19 state for purposes of Subchapter B.
 2-20 SECTION 2. The change in law made by this Act applies to
 2-21 eligibility for an exemption from the payment of tuition or other
 2-22 fees beginning with tuition and fees charged for the 2012 fall
 2-23 semester.
 2-24 SECTION 3. This Act takes effect immediately if it receives
 2-25 a vote of two-thirds of all the members elected to each house, as
 2-26 provided by Section 39, Article III, Texas Constitution. If this
 2-27 Act does not receive the vote necessary for immediate effect, this
 2-28 Act takes effect September 1, 2011.

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