

BILL ANALYSIS

Senate Research Center

S.B. 1159
By: Van de Putte
Veteran Affairs & Military Installations
7/15/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last session, the legislature passed S.B. 639, 82nd Legislature, Regular Session, 2011, the "Hazlewood clean up" bill. However, moving statutory provisions around in code to better align Hazlewood provisions resulted in some unintended consequences for veterans. S.B. 1159 contains recommendations from the Texas Higher Education Coordinating Board to clarify and codify provisions necessary to effectively administer Hazlewood benefits to Texas veterans.

S.B. 1159 amends current law relating to higher education for certain military personnel and their dependents.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires that this Act be known as Andrew's Law.

SECTION 2. Amends Subchapter W, Chapter 51, Education Code, by adding Section 51.844, as follows:

Sec. 51.844. READMISSION OF CERTAIN MILITARY PERSONNEL TO GRADUATE AND PROFESSIONAL PROGRAMS. (a) Provides that this section applies only to a person who:

(1) was previously offered admission to, or was enrolled in, a graduate program or professional program at a general academic teaching institution or medical and dental unit;

(2) did not initially enroll in the program, or withdrew from the program, as applicable, because of the person's deployment as a member of the armed forces of the United States serving on active duty for the purpose of engaging in a combative military operation outside the United States; and

(3) seeks readmission to the program following the person's military deployment under Subdivision (2).

(b) Requires a general academic teaching institution or a medical and dental unit to, regardless of the time since the person was initially offered admission to, or withdrew from, the program, as applicable:

(1) readmit a person to whom this section applies to the applicable graduate or professional program;

(2) apply credit toward the program for any course work previously completed by the person under the program; and

(3) accept a standardized test score previously submitted by that person for admission to the program.

SECTION 3. Amends Subchapter D, Chapter 54, Education Code, by adding Section 54.3411, as follows:

Sec. 54.3411. STUDY REGARDING TUITION AND FEE EXEMPTIONS FOR CERTAIN MILITARY PERSONNEL AND DEPENDENTS. (a) Requires the Legislative Budget Board (LBB), in consultation with the Texas Higher Education Coordinating Board (THECB) and the Texas Veterans Commission (TVC), to study and evaluate federal education benefits and the tuition and fee exemptions provided under Section 54.341 (Veterans and Other Military Personnel; Dependents). Requires LBB, in the study, to consider any available historical data and the projected data regarding recipients of the exemptions provided under Section 54.341, disaggregated by veteran, dependent, spouse, and legacy recipient, for each of the following categories of information:

(1) the total number of recipients, disaggregated by gender, race and ethnicity, institution, and socioeconomic background as indicated in the Free Application for Federal Student Aid (FAFSA);

(2) the number of undergraduate, graduate, and doctoral credit hours attempted and earned by semester;

(3) the number of degrees attempted and earned, and the associated semester credit hours required for those degrees, per recipient;

(4) the grade point average of recipients after completing the first, second, third, and fourth academic years, and subsequent academic years, as applicable, and to the extent allowed under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g);

(5) the average time to graduation;

(6) the four-year and six-year graduation rates, retention rates, and noncompletion rates;

(7) the number of semester credit hours of developmental education courses attempted and earned by recipients;

(8) the proportion of federal education benefits, including veteran and non-veteran benefits, and of the exemption provided under Section 54.341, used for undergraduate, graduate, and doctoral semester credit hours attempted and earned by recipients; and

(9) the average cost of tuition and mandatory fees for an undergraduate, graduate, and doctoral recipient enrolled in a full course load at an institution of higher education compared to the average cost for a nonrecipient student enrolled in a full course load at the same institution for the same degree level.

(b) Provides that, to the greatest extent possible:

(1) LBB is required to include in its study a review of all federal education benefits for veterans in order to comprehensively review the sustainability of state and federal benefits for veterans and use applicable data from the 2008-2009 academic year or a more recent academic year as a baseline in the study; and

(2) institutions of higher education are required to cooperate with LBB by providing any requested data and ensuring the reliability and validity of the data collected and submitted for the purpose of the study.

(c) Requires LBB, not later than December 1, 2014, to submit to THECB, TVC, the governor, the lieutenant governor, and the speaker of the house of representatives a written report of the results of the study conducted under this section, together with any recommendations for legislative or administrative action, including any changes to eligibility criteria or other changes necessary to promote sustainability, fiscal efficiency, and effectiveness in the use of the exemption provided under Section 54.341. Requires that a recommendation included in the report include an explanation of the basis for that recommendation.

(d) Provides that this section expires January 31, 2015.

SECTION 4. Effective date: upon passage or September 1, 2013.