

By: Pickett

H.B. No. 81

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the eligibility of children and other dependents of
3 certain military personnel or veterans for tuition and fee
4 exemptions at public institutions of higher education.

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

6 SECTION 1. Sections 54.341(k) and (m), Education Code, are
7 amended to read as follows:

8 (k) The Texas Higher Education Coordinating Board by rule
9 shall prescribe procedures to allow:

10 (1) a person who becomes eligible for an exemption
11 provided by Subsection (a) to waive the person's right to any unused
12 portion of the maximum number of cumulative credit hours for which
13 the person could receive the exemption and assign the exemption for
14 the unused portion of those credit hours to a child of the person;
15 and

16 (2) following the death of a person who becomes
17 eligible for an exemption provided by Subsection (a), the
18 assignment of the exemption for the unused portion of the credit
19 hours to a child of the person, to be made by the person's spouse, by
20 the personal representative, as defined by Section 3, Texas Probate
21 Code, of the person, or by the conservator, guardian, custodian, or
22 other legally designated caretaker of the child, if the child does
23 not otherwise qualify for an exemption under Subsection (b).

24 (m) For purposes of this section, a person is the child of

1 another person if [~~the person is 25 years of age or younger on the~~
2 ~~first day of the semester or other academic term for which the~~
3 ~~exemption is claimed and~~]:

4 (1) the person is the stepchild or the biological or
5 adopted child of the other person; or

6 (2) the other person claimed the person as a dependent
7 on a federal income tax return filed for the preceding year or will
8 claim the person as a dependent on a federal income tax return for
9 the current year.

10 SECTION 2. Section 54.341(n), Education Code, is repealed.

11 SECTION 3. The change in law made by this Act applies
12 beginning with tuition and fees for the 2013 fall semester. Tuition
13 and fees for a term or semester before the 2013 fall semester are
14 covered by the law in effect immediately before the effective date
15 of this Act, and the former law is continued in effect for that
16 purpose.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.