

By: Alvarado

H.B. No. 1033

A BILL TO BE ENTITLED

1 AN ACT
2 relating to eligibility for tuition and fee exemptions at public
3 institutions of higher education for certain military personnel,
4 veterans, and dependents residing in this state.

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

6 SECTION 1. Sections 54.341(a), (a-1), and (a-3), Education
7 Code, are amended to read as follows:

8 (a) The governing board of each institution of higher
9 education shall exempt the following persons from the payment of
10 tuition, dues, fees, and other required charges, including fees for
11 correspondence courses but excluding general deposit fees, student
12 services fees, and any fees or charges for lodging, board, or
13 clothing, provided the person seeking the exemption currently
14 resides in this state and entered the service at a location in this
15 state, declared this state as the person's home of record in the
16 manner provided by the applicable military or other service, [~~or~~]
17 would have been determined to be a resident of this state for
18 purposes of Subchapter B at the time the person entered the service,
19 or has been a resident of this state for at least 20 years:

20 (1) all nurses and honorably discharged members of the
21 armed forces of the United States who served during the
22 Spanish-American War or during World War I;

23 (2) all nurses, members of the Women's Army Auxiliary
24 Corps, members of the Women's Auxiliary Volunteer Emergency

1 Service, and all honorably discharged members of the armed forces
2 of the United States who served during World War II except those who
3 were discharged from service because they were over the age of 38 or
4 because of a personal request on the part of the person that the
5 person be discharged from service;

6 (3) all honorably discharged men and women of the
7 armed forces of the United States who served during the national
8 emergency which began on June 27, 1950, and which is referred to as
9 the Korean War; and

10 (4) all persons who were honorably discharged from the
11 armed forces of the United States after serving on active military
12 duty, excluding training, for more than 180 days and who served a
13 portion of their active duty during:

14 (A) the Cold War which began on the date of the
15 termination of the national emergency cited in Subdivision (3);

16 (B) the Vietnam era which began on December 21,
17 1961, and ended on May 7, 1975;

18 (C) the Grenada and Lebanon era which began on
19 August 24, 1982, and ended on July 31, 1984;

20 (D) the Panama era which began on December 20,
21 1989, and ended on January 21, 1990;

22 (E) the Persian Gulf War which began on August 2,
23 1990, and ends on the date thereafter prescribed by Presidential
24 proclamation or September 1, 1997, whichever occurs first;

25 (F) the national emergency by reason of certain
26 terrorist attacks that began on September 11, 2001; or

27 (G) any future national emergency declared in

1 accordance with federal law.

2 (a-1) A person who before the 2009-2010 academic year
3 received an exemption provided by Subsection (a) continues to be
4 eligible for the exemption provided by that subsection as that
5 subsection existed on January 1, 2009, subject to the other
6 provisions of this section other than the requirement of Subsection
7 (a) that the person must have entered the service at a location in
8 this state, declared this state as the person's home of record, [~~or~~]
9 would have been determined to be a resident of this state for
10 purposes of Subchapter B at the time the person entered the service,
11 or has been a resident of this state for at least 20 years.

12 (a-3) A person who before the 2011-2012 academic year
13 received an exemption provided by Subsection (a) continues to be
14 eligible for the exemption provided by that subsection as that
15 subsection existed on January 1, 2011, subject to the other
16 provisions of this section other than the requirement of Subsection
17 (a) that the person must currently reside in this state or has been
18 a resident of this state for at least 20 years.

19 SECTION 2. The change in law made by this Act applies
20 beginning with tuition and fees for the 2013 fall semester. Tuition
21 and fees for a term or semester before the 2013 fall semester are
22 covered by the law in effect immediately before the effective date
23 of this Act, and the former law is continued in effect for that
24 purpose.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2013.