

By: Miller of Fort Bend

H.B. No. 3295

A BILL TO BE ENTITLED

AN ACT

relating to tuition and fees for veterans and certain family members of veterans.

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

SECTION 1. Sections 54.241(a), (b), (c), (d), (f), (g), (h), (i), and (j), Education Code, are amended to read as follows:

(a) In this section, "veteran" means a person who:

(1) serves on active duty as a member of the armed forces of the United States or the Texas National Guard;

(2) serves as a member of a reserve component of the armed forces of the United States or the Texas National Guard; or

(3) is honorably discharged, retired, or released from:

(A) active duty as a member of the armed forces of the United States or the Texas National Guard; or

(B) service as a member of a reserve component of the armed forces of the United States or the Texas National Guard.

~~[Military personnel are classified as provided by this section.]~~

(b) A veteran ~~[person who is an officer, enlisted person, selectee, or draftee of the Army, Army Reserve, Army National Guard, Air National Guard, Air Force, Air Force Reserve, Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, Coast Guard, or Coast Guard Reserve of the United States, who is assigned to duty in Texas, and the spouse]~~ and children of the veteran ~~[such an officer,~~

1 ~~enlisted person, selectee, or draftee,~~] are entitled to register in
2 a state institution of higher education by paying the tuition fee
3 and other fees or charges required of Texas residents, without
4 regard to the length of time the veteran ~~[officer, enlisted person,~~
5 ~~selectee, or draftee]~~ has been assigned to duty or resided in the
6 state. ~~[However, out-of-state Army National Guard or Air National~~
7 ~~Guard members attending training with Texas Army or Air National~~
8 ~~Guard units under National Guard Bureau regulations may not be~~
9 ~~exempted from nonresident tuition by virtue of that training status~~
10 ~~nor may out-of-state Army, Air Force, Navy, Marine Corps, or Coast~~
11 ~~Guard Reserves training with units in Texas under similar~~
12 ~~regulations be exempted from nonresident tuition by virtue of that~~
13 ~~training status. It is the intent of the legislature that only~~
14 ~~those members of the Army or Air National Guard or other reserve~~
15 ~~forces mentioned above be exempted from the nonresident tuition fee~~
16 ~~and other fees and charges only when they become members of Texas~~
17 ~~units of the military organizations mentioned above.]~~

18 (c) The spouse ~~[or child]~~ of a veteran ~~[member of the Armed~~
19 ~~Forces of the United States]~~ who has been assigned to duty elsewhere
20 immediately following assignment to duty in Texas is entitled to
21 pay the tuition fees and other fees or charges provided for Texas
22 residents as long as the spouse ~~[or child]~~ resides continuously in
23 Texas.

24 (d) A spouse ~~[or dependent child]~~ of a veteran ~~[member of~~
25 ~~the Armed Forces of the United States,~~] who is not assigned to duty
26 in Texas but who has previously resided in Texas for a six-month
27 period, is entitled to pay the tuition fees and other fees or

1 charges provided for Texas residents for a term or semester at an
2 institution of higher education if the veteran [~~member~~]:

3 (1) at least one year preceding the first day of the
4 term or semester executed a document with the applicable military
5 service that is in effect on the first day of the term or semester
6 and that:

7 (A) indicates that the veteran's [~~member's~~]
8 permanent residence address is in Texas; and

9 (B) designates Texas as the veteran's [~~member's~~]
10 place of legal residence for income tax purposes;

11 (2) has been registered to vote in Texas for the entire
12 year preceding the first day of the term or semester; and

13 (3) satisfies at least one of the following
14 requirements:

15 (A) for the entire year preceding the first day
16 of the term or semester has owned real property in Texas and in that
17 time has not been delinquent in the payment of any taxes on the
18 property;

19 (B) has had an automobile registered in Texas for
20 the entire year preceding the first day of the term or semester; or

21 (C) at least one year preceding the first day of
22 the term or semester executed a will that has not been revoked or
23 superseded indicating that the veteran [~~member~~] is a resident of
24 this state and deposited the will with the county clerk of the
25 county of the veteran's [~~member's~~] residence under Section 71,
26 Texas Probate Code.

27 (f) The spouse [~~or child~~] of a veteran [~~member of the Armed~~

1 ~~Forces of the United States~~] who dies or is killed is entitled to
2 pay the resident tuition fee if the spouse [~~or child~~] becomes a
3 resident of Texas within 60 days of the date of death.

4 (g) If a veteran [~~member of the Armed Forces of the United~~
5 ~~States~~] is stationed outside Texas and the veteran's [~~member's~~]
6 spouse [~~or child~~] establishes residence in Texas by residing in
7 Texas and by filing with the Texas institution of higher education
8 at which the spouse [~~or child~~] plans to register a letter of intent
9 to establish residence in Texas, the institution of higher
10 education shall permit the spouse [~~or child~~] to pay the tuition,
11 fees, and other charges provided for Texas residents without regard
12 to length of time that the spouse [~~or child~~] has resided in Texas.

13 (h) The governing board of Midwestern State University may
14 set the resident [~~and nonresident~~] tuition rates for United States
15 military personnel enrolled in the bachelor of science or master of
16 science degree program in radiological sciences at Midwestern State
17 University at the rates the governing board considers appropriate,
18 notwithstanding any other provision of this subchapter, and may
19 exempt those military personnel from all or part of required fees
20 and charges while enrolled in one of those programs. The total
21 amount of tuition and required fees charged to a resident member of
22 the armed forces under this subsection may not be less than the
23 total amount of tuition and required fees charged to other resident
24 students in the same program. United States military personnel
25 enrolled in one of those programs by instructional
26 telecommunication are entitled to pay tuition fees and other fees
27 or charges provided by the board for United States military

1 personnel residing in Texas if they began the program while
2 stationed at a military base or other installation in Texas as a
3 member of the United States Armed Forces. In this subsection,
4 "instructional telecommunication" means instruction delivered
5 primarily by telecommunication technology, including open-channel
6 television, cable television, closed-circuit television, low power
7 television, communication and/or direct broadcast satellite,
8 satellite master antenna system, microwave, videotape, videodisc,
9 computer software, computer networks, and telephone lines.

10 (i) A veteran's [~~former member of the Armed Forces of the~~
11 ~~United States or the former member's~~] spouse [~~or dependent child~~]
12 is entitled to pay the tuition fees and other fees or charges
13 provided for Texas residents for any term or semester at a state
14 institution of higher education that begins before the first
15 anniversary of the veteran's [~~member's~~] separation from the Armed
16 Forces if the veteran [~~former member~~]:

17 (1) has retired or been honorably discharged from the
18 Armed Forces; and

19 (2) has complied with the requirements of Subsection
20 (d).

21 (j) A [~~member of the Armed Forces of the United States or the~~
22 ~~child or~~] spouse of a veteran [~~member of the Armed Forces of the~~
23 ~~United States~~] who is entitled to pay tuition and fees at the rate
24 provided for Texas residents under another provision of this
25 section while enrolled in a degree or certificate program is
26 entitled to pay tuition and fees at the rate provided for Texas
27 residents in any subsequent term or semester while the person is

1 continuously enrolled in the same degree or certificate
2 program. For purposes of this subsection, a person is not required
3 to enroll in a summer term to remain continuously enrolled in a
4 degree or certificate program. The person's eligibility to pay
5 tuition and fees at the rate provided for Texas residents under this
6 subsection does not terminate because the person is no longer [~~a~~
7 ~~member of the Armed Forces of the United States or~~] the [~~child or~~
8 spouse of a veteran [~~member of the Armed Forces of the United~~
9 ~~States~~].

10 SECTION 2. Section 54.241(e), Education Code, is repealed.

11 SECTION 3. This Act applies beginning with tuition and fees
12 charged for the 2013 fall semester.

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