

By: Menendez

H.B. No. 3544

Substitute the following for H.B. No. 3544:

By: Farias

C.S.H.B. No. 3544

A BILL TO BE ENTITLED

AN ACT

relating to higher education for veterans and their families.

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

SECTION 1. Section 54.341, Education Code, is amended by amending Subsections (d), (h), (i), (k), and (n) and adding Subsection (o) to read as follows:

(d) The governing board of each institution of higher education granting an exemption under this section shall require each applicant claiming the exemption to submit to the institution, in the form and manner prescribed by the Texas Veterans Commission for purposes of this section under Section 434.0079(b), Government Code, an application for the exemption and necessary ~~[satisfactory]~~ evidence that the applicant qualifies for the exemption not later than one year after the earlier of the date the institution:

(1) provides written notice to the applicant of the applicant's eligibility for the exemption; or

(2) receives a written acknowledgement from the applicant evidencing the applicant's awareness of the applicant's eligibility for the exemption.

(h) The governing board of each institution of higher education shall electronically report to the Texas Veterans Commission ~~[Higher Education Coordinating Board]~~ the information required by Section 434.00791, Government Code, ~~[61.0516]~~ relating to each individual receiving an exemption from fees and charges

1 under Subsection (a), (a-2), or (b). The institution shall report
2 the information not later than December 31 of each year for the fall
3 semester, May 31 of each year for the spring semester, and September
4 30 of each year for the summer session.

5 (i) The Texas Veterans Commission [~~Texas Higher Education~~
6 ~~Coordinating Board~~] may adopt rules to provide for the efficient
7 and uniform application of this section. In developing rules under
8 this subsection, the commission shall consult with the Texas Higher
9 Education Coordinating Board and institutions of higher education.

10 (k) The Texas Veterans Commission [~~Higher Education~~
11 ~~Coordinating Board~~] by rule shall prescribe procedures to allow:

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

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

25 (n) The Texas Veterans Commission [~~Higher Education~~
26 ~~Coordinating Board~~] by rule shall prescribe procedures by which a
27 child assigned an exemption under Subsection (k) who suffered from

1 a severe illness or other debilitating condition that affected the
2 child's ability to use the exemption before reaching the age
3 described by Subsection (m) may be granted additional time to use
4 the exemption corresponding to the time the child was unable to use
5 the exemption because of the illness or condition.

6 (o) The Texas Higher Education Coordinating Board and the
7 Texas Veterans Commission shall coordinate to provide each
8 respective agency with any information required to ensure the
9 proper administration of this section and the proper execution of
10 each agency's statutory responsibilities concerning this section.

11 SECTION 2. Subchapter A, Chapter 434, Government Code, is
12 amended by adding Section 434.0079 to read as follows:

13 Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE
14 EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) The commission,
15 through its veteran education program, shall assist veterans and
16 their family members in claiming and qualifying for exemptions from
17 the payment of tuition and fees at institutions of higher education
18 under Section 54.341, Education Code.

19 (b) The commission shall establish the application and
20 necessary evidence requirements for a person to claim an exemption
21 under Section 54.341, Education Code, at an institution of higher
22 education.

23 SECTION 3. Section 61.0516, Education Code, is transferred
24 to Subchapter A, Chapter 434, Government Code, redesignated as
25 Section 434.00791, Government Code, and amended to read as follows:

26 Sec. 434.00791 [61.0516]. ELECTRONIC SYSTEM TO MONITOR
27 TUITION EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS [~~DEPENDENTS~~].

1 (a) In this section, "institution of higher education" has the
2 meaning assigned by Section 61.003, Education Code.

3 (b) The commission [~~board~~] shall ensure [~~develop~~] a system
4 to electronically monitor the use of tuition and fee exemptions at
5 institutions of higher education under Section 54.341, Education
6 Code, is developed. The system must allow the commission [~~board~~] to
7 electronically receive, for each semester, the following
8 information from institutions of higher education:

9 (1) the name of the institution;

10 (2) the name, identification number, and date of birth
11 of each individual attending the institution and receiving benefits
12 for the semester under Section 54.341, Education Code;

13 (3) for each individual receiving benefits, the number
14 of credit hours for which the individual received an exemption for
15 the semester;

16 (4) for each individual receiving benefits at the
17 institution during the semester, the total cumulative number of
18 credit hours for which the individual has received an exemption at
19 the institution; and

20 (5) any other information required by the commission
21 [~~board~~].

22 (c) Not later than January 1, 2014, the Texas Higher
23 Education Coordinating Board shall provide to the commission the
24 system, or access to the system, developed by the coordinating
25 board that meets the requirements of this section. This subsection
26 expires September 1, 2015.

27 SECTION 4. Chapter 434, Government Code, is amended by

1 adding Subchapters F and G to read as follows:

2 SUBCHAPTER F. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD

3 NETWORK

4 Sec. 434.251. DEFINITIONS. In this subchapter:

5 (1) "Commission" means the Texas Veterans Commission.

6 (2) "Institution of higher education" has the meaning
7 assigned by Section 61.003, Education Code.

8 Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION

9 AWARD NETWORK. (a) The commission by rule shall establish an award
10 program under which institutions of higher education may receive
11 recognition from the commission for excellence in providing
12 education and related services to veterans.

13 (b) For purposes of receiving an award under Subsection (a),
14 the commission shall evaluate an institution of higher education
15 regarding, as applicable, the existence and quality at the
16 institution of:

17 (1) an advisory board of students who are veterans to
18 advise the institution's governing board on issues affecting the
19 institution's students who are veterans;

20 (2) a centralized place for students who are veterans
21 to meet or find assistance and information;

22 (3) an institution employee who serves as a central
23 point of contact for students who are veterans;

24 (4) a United States Department of Veterans Affairs
25 work-study program;

26 (5) admissions and enrollment policies specifically
27 designed for veterans;

1 (6) new student orientation and courses specifically
2 designed for veterans;

3 (7) a student organization for veterans;

4 (8) academic support services specifically for
5 students who are veterans;

6 (9) mental health and disability services;

7 (10) a housing policy that applies specifically to
8 veterans;

9 (11) faculty and staff training on issues affecting
10 students who are veterans;

11 (12) career services specifically designed for
12 students who are veterans; and

13 (13) any other criteria considered necessary or
14 appropriate by the commission.

15 Sec. 434.253. RULEMAKING AUTHORITY. The commission may
16 adopt rules as necessary to administer this subchapter. In
17 developing rules under this section, the commission shall consult
18 with the Texas Higher Education Coordinating Board and institutions
19 of higher education.

20 SUBCHAPTER G. REGIONAL VETERANS EDUCATION COUNSELORS PROGRAM

21 Sec. 434.301. DEFINITIONS. In this subchapter:

22 (1) "Commission" means the Texas Veterans Commission.

23 (2) "Higher education regions" means the higher
24 education regions in this state established by the Texas Higher
25 Education Coordinating Board as specified under Section 434.304.

26 (3) "Institution of higher education" has the meaning
27 assigned by Section 61.003, Education Code.

1 Sec. 434.302. REGIONAL VETERANS EDUCATION COUNSELORS. The
2 commission shall employ regional veterans education counselors. A
3 regional veterans education counselor shall:

4 (1) visit the institutions of higher education located
5 in each higher education region served by the veterans education
6 counselor;

7 (2) work with those institutions of higher education
8 and any existing veterans programs at those institutions to:

9 (A) create a hospitable and supportive
10 environment for veterans;

11 (B) enhance awareness of and encourage
12 participation in veterans educational programs and commission
13 programs providing other services to veterans, including
14 employment and claims assistance services;

15 (C) develop programs providing ancillary
16 assistance to veterans based on the unique needs of veterans and
17 their family members;

18 (D) ensure that veterans successfully complete
19 their education; and

20 (E) promote the establishment of a student
21 veterans group on each campus in the higher education region;

22 (3) work with local, state, and national veterans
23 groups, including the Veterans of Foreign Wars and the American
24 Legion, to promote educational opportunities and benefits to the
25 veteran population in the higher education region;

26 (4) work with local workforce development boards to:

27 (A) ensure that the regional veterans education

1 counselors are aware of available nontraditional educational
2 opportunities, including on-the-job training programs and
3 apprenticeships; and

4 (B) advise employers in the higher education
5 region of potential opportunities to create on-the-job training
6 programs for veterans;

7 (5) work with education services officers at military
8 installations to encourage active duty members of the armed forces
9 of the United States and veterans to use federal and state
10 educational benefits;

11 (6) create and manage publicity campaigns in concert
12 with the commission and institutions of higher education in the
13 higher education region to promote the use of education benefits
14 under the federal Post-9/11 Veterans Educational Assistance Act of
15 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption
16 program for veterans and their family members under Section 54.341,
17 Education Code, and any other education benefit for veterans or
18 their family members under federal or state law;

19 (7) support programs to assist students who are combat
20 veterans in readjusting and reintegrating into a noncombat
21 environment;

22 (8) maintain statistical information regarding
23 demographics of veterans assisted, application success, program
24 completion rates, dropout rates, and reasons for success or
25 failure, as appropriate; and

26 (9) perform other activities, as assigned by the
27 commission, to enhance the educational opportunities of veterans

1 and their family members in the higher education region and
2 throughout this state.

3 Sec. 434.303. PROGRAM MANAGER. The commission shall employ
4 a program manager to administer the regional veterans education
5 counselors program. The program manager shall:

6 (1) provide leadership, training, support, and
7 overall management of the regional veterans education counselors;

8 (2) using data provided by the Texas Higher Education
9 Coordinating Board, produce an annual report on veterans'
10 attendance at institutions of higher education; and

11 (3) perform any other task required by the commission.

12 Sec. 434.304. ASSIGNMENT OF REGIONAL VETERANS EDUCATION
13 COUNSELORS. The commission shall assign regional veterans
14 education counselors throughout this state with at least one
15 counselor assigned responsibility for serving not more than two of
16 the following higher education regions:

17 (1) High Plains Region;

18 (2) Northwest Texas Region;

19 (3) Metroplex Region;

20 (4) Upper East Texas Region;

21 (5) Southeast Texas Region;

22 (6) Gulf Coast Region;

23 (7) Central Texas Region;

24 (8) South Texas Region;

25 (9) West Texas Region; and

26 (10) Upper Rio Grande Region.

27 Sec. 434.305. SUPPORT FROM INSTITUTIONS OF HIGHER

1 EDUCATION. Each institution of higher education shall cooperate
2 with the commission to provide information, as permitted by law,
3 related to student veterans at the institution, provide access to
4 veteran resource centers or other student meeting areas, and
5 otherwise support the work of regional veterans education
6 counselors.

7 Sec. 434.306. RULEMAKING AUTHORITY. The commission may
8 adopt rules to implement this subchapter. In developing rules
9 under this section, the commission shall consult with the Texas
10 Higher Education Coordinating Board and institutions of higher
11 education.

12 SECTION 5. Section 9.01(b)(4), Chapter 1049 (S.B. 5), Acts
13 of the 82nd Legislature, Regular Session, 2011, which would repeal
14 Section 54.203(h), Education Code, effective September 1, 2013, is
15 repealed and does not take effect, and Section 54.341(h), Education
16 Code, which was redesignated from Section 54.203(h), Education
17 Code, by Chapter 359 (S.B. 32), Acts of the 82nd Legislature,
18 Regular Session, 2011, remains in effect as amended by this Act.

19 SECTION 6. The changes in law made by this Act to Section
20 54.341, Education Code, apply beginning with tuition and fees for
21 the 2014 fall semester. Tuition and fees for a term or semester
22 before the 2014 fall semester are covered by the law in effect
23 immediately before the effective date of this Act, and the former
24 law is continued in effect for that purpose.

25 SECTION 7. As soon as practicable after the effective date
26 of this Act, the Texas Veterans Commission shall employ the
27 regional veterans education counselors and a program manager as

1 required by Subchapter G, Chapter 434, Government Code, as added by
2 this Act.

3 SECTION 8. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect on the 91st day after the last day of the
8 legislative session.