

By: Birdwell

S.B. No. 838

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to giving priority to United States citizens and permanent  
3 resident aliens in awarding state-funded student financial  
4 assistance.

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

6 SECTION 1. Subchapter Z, Chapter 51, Education Code, is  
7 amended by adding Section 51.954 to read as follows:

8 Sec. 51.954. PRIORITY FOR CITIZENS AND PERMANENT RESIDENTS  
9 IN AWARDING STATE-FUNDED STUDENT FINANCIAL ASSISTANCE. (a)  
10 Notwithstanding any other provision of this title, if for any  
11 semester or other academic term the amount of money available for a  
12 state-funded program that provides financial assistance, including  
13 scholarships or loan repayments, to students for use in attending a  
14 public or private institution of higher education is insufficient  
15 to provide the financial assistance to all eligible applicants in  
16 amounts authorized under the program, program money must first be  
17 distributed to eligible applicants who are United States citizens  
18 or permanent resident aliens in the total maximum amount that may be  
19 distributed under the program to those applicants, based on the  
20 number of those applicants and applicable program requirements and  
21 limitations, before any program money may be distributed to an  
22 eligible applicant who is not a United States citizen or permanent  
23 resident alien.

24 (b) The Texas Higher Education Coordinating Board shall

1 adopt rules as necessary to administer this section.

2           SECTION 2. The Texas Higher Education Coordinating Board  
3 shall adopt any rules necessary under Section 51.954, Education  
4 Code, as added by this Act, as soon as practicable after this Act  
5 takes effect. For that purpose, the coordinating board may adopt  
6 the initial rules in the manner provided by law for emergency rules.

7           SECTION 3. Section 51.954, Education Code, as added by this  
8 Act, applies beginning with state-funded student financial  
9 assistance for the 2013 fall semester, except that that section  
10 does not affect the amount of any student financial assistance  
11 awarded before the effective date of this Act.

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