

1-1 By: Van de Putte, Rodriguez S.B. No. 1158  
1-2 (In the Senate - Filed March 5, 2013; March 12, 2013, read  
1-3 first time and referred to Committee on Veteran Affairs and  
1-4 Military Installations; April 15, 2013, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 0; April 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Van de Putte	X			
1-9 Birdwell	X			
1-10 Campbell	X			
1-11 Davis	X			
1-12 Rodriguez	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1158 By: Van de Putte

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to higher education for veterans and their families.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subsections (d), (h), (i), (k), and (n), Section  
1-20 54.341, Education Code, are amended to read as follows:

1-21 (d) The governing board of each institution of higher  
1-22 education granting an exemption under this section shall require  
1-23 each applicant claiming the exemption to submit to the institution,  
1-24 in the form and manner prescribed by the Texas Veterans Commission  
1-25 for purposes of this section under Section 434.0079(b), Government  
1-26 Code, an application for the exemption and necessary ~~[satisfactory]~~  
1-27 evidence that the applicant qualifies for the exemption not later  
1-28 than one year after the earlier of the date the institution:

1-29 (1) provides written notice to the applicant of the  
1-30 applicant's eligibility for the exemption; or

1-31 (2) receives a written acknowledgement from the  
1-32 applicant evidencing the applicant's awareness of the applicant's  
1-33 eligibility for the exemption.

1-34 (h) The governing board of each institution of higher  
1-35 education shall electronically report to the Texas Veterans  
1-36 Commission ~~[Higher Education Coordinating Board]~~ the information  
1-37 required by Section 434.00791, Government Code, ~~[61.0516]~~ relating  
1-38 to each individual receiving an exemption from fees and charges  
1-39 under Subsection (a), (a-2), or (b). The institution shall report  
1-40 the information not later than December 31 of each year for the fall  
1-41 semester, May 31 of each year for the spring semester, and September  
1-42 30 of each year for the summer session.

1-43 (i) The Texas Veterans Commission ~~[Texas Higher Education  
1-44 Coordinating Board]~~ may adopt rules to provide for the efficient  
1-45 and uniform application of this section.

1-46 (k) The Texas Veterans Commission ~~[Higher Education  
1-47 Coordinating Board]~~ by rule shall prescribe procedures to allow:

1-48 (1) a person who becomes eligible for an exemption  
1-49 provided by Subsection (a) to waive the person's right to any unused  
1-50 portion of the maximum number of cumulative credit hours for which  
1-51 the person could receive the exemption and assign the exemption for  
1-52 the unused portion of those credit hours to a child of the person;  
1-53 and

1-54 (2) following the death of a person who becomes  
1-55 eligible for an exemption provided by Subsection (a), the  
1-56 assignment of the exemption for the unused portion of the credit  
1-57 hours to a child of the person, to be made by the person's spouse or  
1-58 by the conservator, guardian, custodian, or other legally  
1-59 designated caretaker of the child, if the child does not otherwise  
1-60 qualify for an exemption under Subsection (b).

(n) The Texas Veterans Commission ~~[Higher Education Coordinating Board]~~ by rule shall prescribe procedures by which a child who suffered from a severe illness or other debilitating condition that affected the child's ability to use the exemption before reaching the age described by Subsection (m) may be granted additional time to use the exemption corresponding to the time the child was unable to use the exemption because of the illness or condition.

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

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

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

(c) The commission shall mediate between a veteran or a veteran's family member and an institution of higher education in any issue regarding eligibility for an exemption under Section 54.341, Education Code.

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

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

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

(b) The commission [board] shall administer [develop] a system to electronically monitor the use of tuition and fee exemptions at institutions of higher education under Section 54.341, Education Code. The system must allow the commission [board] to electronically receive, for each semester, the following information from institutions of higher education:

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

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

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

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

(c) Not later than January 1, 2014, the Texas Higher Education Coordinating Board shall provide to the commission a system developed by the coordinating board that meets the requirements of this section. The coordinating board is responsible for maintaining the system until the date of transfer. This subsection expires September 1, 2015.

SECTION 4. Chapter 434, Government Code, is amended by adding Subchapters F and G to read as follows:

SUBCHAPTER F. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK

Sec. 434.251. DEFINITIONS. In this subchapter:

(1) "Commission" means the Texas Veterans Commission.  
(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK. (a) The commission by rule shall establish an award program under which institutions of higher education may receive recognition from the commission for excellence in providing education and related services to veterans.

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

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

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

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

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

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

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

(7) a student organization for veterans;

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

(9) mental health and disability services;

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

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

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

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

(c) The commission by rule shall establish a process for the commission to use in evaluating an institution of higher education on the basis of the criteria under Subsection (b). The commission may charge a reasonable fee to an institution for the commission's evaluation.

Sec. 434.253. RULEMAKING AUTHORITY. The commission may adopt rules as necessary to administer this subchapter.

#### SUBCHAPTER G. REGIONAL VETERANS EDUCATION COUNSELORS PROGRAM

Sec. 434.301. DEFINITIONS. In this subchapter:

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

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

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

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

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

(2) work with those institutions of higher education to:

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

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

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

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

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

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

(4) work with local workforce development boards to:  
 (A) ensure that the regional veterans education counselors are aware of available nontraditional educational opportunities, including on-the-job training programs and apprenticeships; and

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

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

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

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

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

(9) perform other activities, as assigned by the commission, to enhance the educational opportunities of veterans and their family members in the higher education region and throughout this state.

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

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

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

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

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

(1) High Plains Region;

(2) Northwest Texas Region;

(3) Metroplex Region;

(4) Upper East Texas Region;

(5) Southeast Texas Region;

(6) Gulf Coast Region;

(7) Central Texas Region;

(8) South Texas Region;

(9) West Texas Region; and

(10) Upper Rio Grande Region.

Sec. 434.305. DUTIES OF INSTITUTION OF HIGHER EDUCATION. Each institution of higher education shall support the work of regional veterans education counselors as provided by this subchapter, including providing access to veteran resource centers or other student meeting areas and providing information, as permitted by law, related to veterans at the institution.

Sec. 434.306. RULEMAKING AUTHORITY. The commission may adopt rules to implement this subchapter.

SECTION 5. Subdivision (4), Subsection (b), Section 9.01, Chapter 1049 (Senate Bill No. 5), Acts of the 82nd Legislature, Regular Session, 2011, which would repeal Subsection (h), Section 54.203, Education Code, effective September 1, 2013, is repealed and does not take effect, and Subsection (h), Section 54.341, Education Code, which was redesignated from Subsection (h), Section

5-1 54.203, Education Code, by Chapter 359 (Senate Bill No. 32), Acts of  
5-2 the 82nd Legislature, Regular Session, 2011, remains in effect as  
5-3 amended by this Act.

5-4 SECTION 6. The changes in law made by this Act to Section  
5-5 54.341, Education Code, apply beginning with tuition and fees for  
5-6 the 2014 fall semester. Tuition and fees for a term or semester  
5-7 before the 2014 fall semester are covered by the law in effect  
5-8 immediately before the effective date of this Act, and the former  
5-9 law is continued in effect for that purpose.

5-10 SECTION 7. As soon as practicable after the effective date  
5-11 of this Act, the Texas Veterans Commission shall employ the  
5-12 regional veterans education counselors and a program manager as  
5-13 required by Subchapter G, Chapter 434, Government Code, as added by  
5-14 this Act.

5-15 SECTION 8. This Act takes effect immediately if it receives  
5-16 a vote of two-thirds of all the members elected to each house, as  
5-17 provided by Section 39, Article III, Texas Constitution. If this  
5-18 Act does not receive the vote necessary for immediate effect, this  
5-19 Act takes effect on the 91st day after the last day of the  
5-20 legislative session.

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