

1-1 By: Zaffirini S.B. No. 1210
 1-2 (In the Senate - Filed March 6, 2013; March 12, 2013, read
 1-3 first time and referred to Committee on Higher Education;
 1-4 March 25, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; March 25, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1210 By: Zaffirini

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to conditions on the receipt of tuition and fee exemptions
 1-20 and waivers at public institutions of higher education.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter D, Chapter 54, Education Code, is
 1-23 amended by adding Section 54.2001 to read as follows:

1-24 Sec. 54.2001. CONTINUED RECEIPT OF EXEMPTIONS OR WAIVERS
 1-25 CONDITIONAL. (a) Notwithstanding any other law but subject to
 1-26 Subsection (f), after initially qualifying under this subchapter
 1-27 for a mandatory or discretionary exemption or waiver from the
 1-28 payment of all or part of the tuition or other fees for enrollment
 1-29 during a semester or term at an institution of higher education, a
 1-30 person may continue to receive the exemption or waiver for a
 1-31 subsequent semester or term only if the person:

1-32 (1) as a graduate or undergraduate student, maintains
 1-33 a grade point average that satisfies the institution's grade point
 1-34 average requirement for making satisfactory academic progress
 1-35 toward a degree or certificate in accordance with the institution's
 1-36 policy regarding eligibility for financial aid; and

1-37 (2) as an undergraduate student, has not completed as
 1-38 of the beginning of the semester or term a number of semester credit
 1-39 hours that is considered to be excessive under Section 54.014,
 1-40 unless permitted to complete those hours by the institution on a
 1-41 showing of good cause.

1-42 (b) In determining whether a person has completed a number
 1-43 of semester credit hours that is considered to be excessive for
 1-44 purposes of Subsection (a)(2), semester credit hours completed
 1-45 include transfer credit hours that count toward the person's
 1-46 undergraduate degree or certificate program course requirements
 1-47 but exclude:

1-48 (1) hours earned exclusively by examination;

1-49 (2) hours earned for a course for which the person
 1-50 received credit toward the person's high school academic
 1-51 requirements; and

1-52 (3) hours earned for developmental coursework that an
 1-53 institution of higher education required the person to take under
 1-54 Section 51.3062 or under the former provisions of Section 51.306.

1-55 (c) If on the completion of any semester or term a person
 1-56 fails to meet any requirement of Subsection (a), for the next
 1-57 semester or term in which the person enrolls the person may not
 1-58 receive the exemption or waiver described by Subsection (a). A
 1-59 person may become eligible to receive an exemption or waiver in a
 1-60 subsequent semester or term if the person:

2-1 (1) completes a semester or term during which the
2-2 person is not eligible for an exemption or waiver; and
2-3 (2) meets each requirement of Subsection (a), as
2-4 applicable.

2-5 (d) Each institution of higher education shall adopt a
2-6 policy to allow a student who fails to maintain a grade point
2-7 average as required by Subsection (a)(1) to receive an exemption or
2-8 waiver in any semester or term on a showing of hardship or other
2-9 good cause, including:

2-10 (1) a showing of a severe illness or other
2-11 debilitating condition that could affect the student's academic
2-12 performance;

2-13 (2) an indication that the student is responsible for
2-14 the care of a sick, injured, or needy person and that the student's
2-15 provision of care could affect the student's academic performance;

2-16 (3) the student's active duty or other service in the
2-17 United States armed forces; or

2-18 (4) any other cause considered acceptable by the
2-19 institution.

2-20 (e) An institution of higher education shall maintain
2-21 documentation of each exception granted to a student under
2-22 Subsection (d).

2-23 (f) If a requirement imposed by this section for the
2-24 continued receipt of a specific exemption or waiver conflicts with
2-25 another requirement imposed by statute for that exemption or
2-26 waiver, the stricter requirement prevails.

2-27 (g) This section does not apply to:

2-28 (1) the waiver provided by Section 54.216 or to any
2-29 other reduction in tuition provided to a high school student for
2-30 enrollment in a dual credit course or other course for which the
2-31 student may earn joint high school and college credit; or

2-32 (2) any provision of this code that authorizes or
2-33 requires the payment of tuition or fees at the rates provided for
2-34 residents of this state by a person who is not a resident of this
2-35 state for purposes of Subchapter B.

2-36 SECTION 2. The change in law made by this Act applies to a
2-37 person's eligibility for an exemption or waiver from the payment of
2-38 all or part of tuition or other fees beginning with tuition and fees
2-39 charged for the 2014 fall semester.

2-40 SECTION 3. This Act takes effect immediately if it receives
2-41 a vote of two-thirds of all the members elected to each house, as
2-42 provided by Section 39, Article III, Texas Constitution. If this
2-43 Act does not receive the vote necessary for immediate effect, this
2-44 Act takes effect September 1, 2013.

2-45 * * * * *