

By: Collier

H.B. No. 974

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. Chapter 54, Tax Code, is amended by amending Subsections (a), (a-3) and (a-4) and adding Subsection (a-5) to read as follows:

(a) The governing board of each institution of higher education shall exempt the following persons from the payment of tuition, dues, fees, and other required charges, including fees for correspondence courses but excluding general deposit fees, student services fees, and any fees or charges for lodging, board, or clothing, provided the person seeking the exemption currently resides in this state and ~~entered the service at a location in this state, declared this state as the person's home of record in the manner provided by the applicable military or other service, or would have been determined to be~~ is a resident of this state ~~for purposes under~~ Subchapter B ~~at the time the person entered the service~~ on the date of registration:

(1) all nurses and honorably discharged members of the armed forces of the United States who served during the Spanish-American War or during World War I;

(2) all nurses, members of the Women's Army Auxiliary Corps, members of the Women's Auxiliary Volunteer Emergency Service, and all honorably discharged members of the armed forces

1 of the United States who served during World War II except those who
2 were discharged from service because they were over the age of 38 or
3 because of a personal request on the part of the person that the
4 person be discharged from service;

5 (3) all honorably discharged men and women of the
6 armed forces of the United States who served during the national
7 emergency which began on June 27, 1950, and which is referred to as
8 the Korean War; and

9 (4) all persons who were honorably discharged from the
10 armed forces of the United States after serving on active military
11 duty, excluding training, for more than 180 days and who served a
12 portion of their active duty during:

13 (A) the Cold War which began on the date of the
14 termination of the national emergency cited in Subdivision (3);

15 (B) the Vietnam era which began on December 21,
16 1961, and ended on May 7, 1975;

17 (C) the Grenada and Lebanon era which began on
18 August 24, 1982, and ended on July 31, 1984;

19 (D) the Panama era which began on December 20,
20 1989, and ended on January 21, 1990;

21 (E) the Persian Gulf War which began on August 2,
22 1990, and ends on the date thereafter prescribed by Presidential
23 proclamation or September 1, 1997, whichever occurs first;

24 (F) the national emergency by reason of certain
25 terrorist attacks that began on September 11, 2001; or

26 (G) any future national emergency declared in
27 accordance with federal law.

1 (a-3) A person who before the 2011-2012 academic year
2 received an exemption provided by Subsection (a) continues to be
3 eligible for the exemption provided by that subsection as that
4 subsection existed on January 1, 2011, subject to the other
5 provisions of this section other than the requirement of Subsection
6 (a) ~~that the person must currently reside in this state.~~ that the
7 person must have entered the service at a location in this state,
8 declared this state as the person's home of record, or would have
9 been determined to be a resident of this state for the purposes of
10 Subchapter B at the time the person entered service.

11 (a-4) A person who before the 2014-2015 academic year
12 received an exemption under this section continues to be eligible
13 for the exemption provided by this section as this section existed
14 on January 1, 2013, subject to the other provisions of this section
15 other than the requirement of Subsection (a) that the person must
16 have entered the service at a location in this state, declared this
17 state as the person's home of record, or would have been determined
18 to be a resident of this state for purposes of Subchapter B at the
19 time the person entered the service.

20 (a-5) A person who before the 2015-2016 academic year
21 received an exemption under this section continues to be eligible
22 for the exemption provided by this section as this section existed
23 on January 1, 2015, other than the requirement of Subsection (a)
24 that the person must have entered the service at a location in this
25 state, declared this state as the person's home of record, or would
26 have been determined to be a resident of this state for the purposes
27 of Subchapter B at the time the person entered the service.

1 (b) The exemptions provided for in Subsection (a) also apply
2 to:

3 (1) the children of members of the armed forces of the
4 United States:

5 (A) who are or were killed in action;

6 (B) who die or died while in service;

7 (C) who are missing in action;

8 (D) whose death is documented to be directly
9 caused by illness or injury connected with service in the armed
10 forces of the United States; or

11 (E) who became totally and permanently disabled
12 or meet the eligibility requirements for individual
13 unemployability according to the disability ratings of the
14 Department of Veterans Affairs as a result of a service-related
15 injury; and

16 (2) the children of members of the Texas National
17 Guard and the Texas Air National Guard who:

18 (A) were killed since January 1, 1946, while on
19 active duty either in the service of their state or the United
20 States; or

21 (B) are totally and permanently disabled or meet
22 the eligibility requirements for individual unemployability
23 according to the disability ratings of the Department of Veterans
24 Affairs, regardless of whether the members are eligible to receive
25 disability benefits from the department, as a result of a
26 service-related injury suffered since January 1, 1946, while on
27 active duty either in the service of this state or the United

1 States.

2 SECTION 3. This Act takes effect immediately, if it
3 receives a vote of two-thirds of all the members elected to each
4 house, as provided by Section 39, Article III, Texas Constitution.
5 If this Act does not receive the vote necessary to take effect on
6 that date, this Act takes effect September 1, 2015.