

By: Springer

H.B. No. 1951

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to tuition exemptions at public institutions of higher  
3 education for certain active members of the armed forces of the  
4 United States and the dependent children of those members.

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

6 SECTION 1. Section 54.341, Education Code, is amended by  
7 amending Subsections (a) and (b) and adding Subsection (b-2) to  
8 read as follows:

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

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

23 (2) all nurses, members of the Women's Army Auxiliary  
24 Corps, members of the Women's Auxiliary Volunteer Emergency

1 Service, and all honorably discharged members of the armed forces  
2 of the United States who served during World War II except those who  
3 were discharged from service because they were over the age of 38 or  
4 because of a personal request on the part of the person that the  
5 person be discharged from service;

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

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

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

16 (B) the Vietnam era which began on December 21,  
17 1961, and ended on May 7, 1975;

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

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

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

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

27 (G) any future national emergency declared in

1 accordance with federal law; and

2 (5) subject to Subsection (b-2), members of the armed  
3 forces of the United States who are currently serving and have  
4 served at least 10 years on active military duty.

5 (b) The exemptions provided for in Subsection (a) also apply  
6 to:

7 (1) the children of members of the armed forces of the  
8 United States:

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

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

11 (C) who are missing in action;

12 (D) whose death is documented to be directly  
13 caused by illness or injury connected with service in the armed  
14 forces of the United States; [~~or~~]

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

20 (F) subject to Subsection (b-2), who are  
21 currently serving and have served at least 10 years on active  
22 military duty; and

23 (2) the children of members of the Texas National  
24 Guard and the Texas Air National Guard who:

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

1           (B) are totally and permanently disabled or meet  
2 the eligibility requirements for individual unemployability  
3 according to the disability ratings of the Department of Veterans  
4 Affairs, regardless of whether the members are eligible to receive  
5 disability benefits from the department, as a result of a  
6 service-related injury suffered since January 1, 1946, while on  
7 active duty either in the service of this state or the United  
8 States.

9           (b-2) The Texas Veterans Commission by rule shall establish  
10 conditions under which a student who previously qualified for an  
11 exemption under Subsection (a)(5) or (b)(1)(F) for attendance at an  
12 institution of higher education loses that eligibility and is  
13 required to repay an amount equal to the amount of tuition, dues,  
14 fees, and other required charges the student would, but for the  
15 exemption, have owed the institution. The conditions must include  
16 the student's withdrawal from or dropping out of the institution,  
17 the student's failure to maintain a cumulative grade point average  
18 of at least 2.0 on a 4.0 scale, or the receipt of a dishonorable  
19 discharge from active military service by the student or the  
20 student's parent, as applicable. The commission shall establish a  
21 schedule for installment repayment under this subsection.

22           SECTION 2. The change in law made by this Act applies  
23 beginning with tuition and fees charged for the 2015 fall semester.  
24 Tuition and fees charged for a term or semester before the 2015 fall  
25 semester are covered by the law in effect immediately before the  
26 effective date of this Act, and the former law is continued in  
27 effect for that purpose.

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