

By: West

S.B. No. 1655

A BILL TO BE ENTITLED

AN ACT

relating to Texas Higher Education Coordinating Board fees for the administration of certificates of authorization and certificates of authority issued to certain postsecondary educational institutions; authorizing fees.

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

SECTION 1. Section 61.303, Education Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) The board by rule may establish a fee to be charged by the board to cover all or a portion of the board's costs associated with:

(1) issuing, maintaining, or revising a certificate of authorization or certificate of authority; and

(2) maintaining a repository for student transcripts from closed institutions that were authorized to operate under a certificate of authorization or certificate of authority.

(h) The amount of a fee established under Subsection (g) may not exceed the following:

(1) \$1,500 for an initial approval;

(2) \$750 for an annual review;

(3) \$250 for an institution name change;

(4) \$250 for a degree, program, or credential-level change;

(5) \$250 for a new degree, program, or credential

1 level;

2 (6) \$500 for an accrediting agency change; or

3 (7) \$500 for an ownership or governance change.

4 SECTION 2. Section 61.315, Education Code, is amended to  
5 read as follows:

6 Sec. 61.315. AGENTS AND RECORDS; TRANSCRIPT REPOSITORY AND  
7 RELATED FEES. (a) The authorized or certified institutions may be  
8 required to furnish a list of their agents to the board, and to  
9 maintain records of students enrolled, credits awarded, and degrees  
10 awarded in a manner specified by the board.

11 (b) The board shall maintain a repository for student  
12 transcripts from closed institutions that were authorized to  
13 operate under a certificate of authorization or certificate of  
14 authority using fees received by the board from institutions  
15 operating under those certificates as part of the institutions'  
16 initial and ongoing authorization to operate. If those fees are not  
17 sufficient to cover the cost of maintaining the repository, the  
18 board may discontinue its maintenance of the repository, unless  
19 adequate state funding is provided for that maintenance. The board  
20 may charge a fee to students requesting transcript copies  
21 maintained in the repository, not to exceed the cost of retrieving,  
22 reproducing, and sending the transcript copies. A closed or  
23 closing institution shall provide its student transcript records to  
24 the board in the format specified by the board for inclusion in the  
25 repository.

26 SECTION 3. Subchapter H, Chapter 61, Education Code, is  
27 amended by adding Section 61.4031 to read as follows:

1       Sec. 61.4031. CERTIFICATE OF AUTHORIZATION OR AUTHORITY  
2 FEE. (a) The board by rule may establish a fee to be charged by the  
3 board to cover all or a portion of the board's costs associated  
4 with:

5           (1) issuing, maintaining, or revising a certificate of  
6 authorization or certificate of authority issued under a rule  
7 adopted under this subchapter; and

8           (2) maintaining a repository for student transcripts  
9 from closed institutions that were authorized to operate under a  
10 certificate of authorization or certificate of authority issued  
11 under a rule adopted under this subchapter.

12       (b) The amount of a fee established under this section may  
13 not exceed the following:

14           (1) \$1,500 for an initial approval;

15           (2) \$750 for an annual review;

16           (3) \$250 for an institution name change;

17           (4) \$250 for a degree, program, or credential-level  
18 change;

19           (5) \$250 for a new degree, program, or credential  
20 level;

21           (6) \$500 for an accrediting agency change; or

22           (7) \$500 for an ownership or governance change.

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