

By: Birdwell, et al.

S.B. No. 1735

A BILL TO BE ENTITLED

AN ACT

1
2 relating to tuition and fee exemptions at public institutions of
3 higher education for certain military personnel and their
4 dependents.

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), (b-1), and (l) and adding Subsections
8 (a-0), (a-5), and (p) to 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 established and
15 maintained a domicile in this state as described by Section
16 54.052(a)(1) and satisfies the residency requirement under
17 Subsection (a-0) [~~currently resides in this state and entered the~~
18 ~~service at a location in this state, declared this state as the~~
19 ~~person's home of record in the manner provided by the applicable~~
20 ~~military or other service, or would have been determined to be a~~
21 ~~resident of this state for purposes of Subchapter B at the time the~~
22 ~~person entered the service]:~~

23 (1) all nurses and honorably discharged members of the
24 armed forces of the United States who served during the

1 Spanish-American War or during World War I;

2 (2) all nurses, members of the Women's Army Auxiliary
3 Corps, members of the Women's Auxiliary Volunteer Emergency
4 Service, and all honorably discharged members of the armed forces
5 of the United States who served during World War II except those who
6 were discharged from service because they were over the age of 38 or
7 because of a personal request on the part of the person that the
8 person be discharged from service;

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

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

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

19 (B) the Vietnam era which began on December 21,
20 1961, and ended on May 7, 1975;

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

23 (D) the Panama era which began on December 20,
24 1989, and ended on January 21, 1990;

25 (E) the Persian Gulf War which began on August 2,
26 1990, and ends on the date thereafter prescribed by Presidential
27 proclamation or September 1, 1997, whichever occurs first;

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

3 (G) any future national emergency declared in
4 accordance with federal law.

5 (a-0) To be eligible for an exemption provided by this
6 section, a person must have resided in this state continuously for
7 the eight years immediately preceding the first class date of the
8 semester or term to which the exemption would apply. This
9 subsection does not apply to a person who was born in this state.

10 (a-5) A person who received an exemption under this section
11 for an academic year before the 2015-2016 academic year continues
12 to be eligible for the exemption provided by this section as this
13 section existed on January 1, 2015.

14 (b-1) To qualify for an exemption under Subsection (a-2) or
15 (b), the spouse or child must have established and maintained a
16 domicile in this state as described by Section 54.052(a)(1) or (2),
17 as applicable, and satisfy the residency requirement under
18 Subsection (a-0) [~~be classified as a resident under Subchapter B on~~
19 the date of the spouse's or child's registration].

20 (1) To be eligible to receive an exemption under Subsection
21 (k), the child must:

22 (1) have established and maintained a domicile in this
23 state as described by Section 54.052(a)(1) or (2), as applicable,
24 and satisfy the residency requirement under Subsection (a-0) [~~be a~~
25 student who is classified as a resident under Subchapter B when the
26 child enrolls in an institution of higher education];

27 (2) as a graduate or undergraduate student, maintain a

1 grade point average that satisfies the grade point average
2 requirement for making satisfactory academic progress in a degree,
3 certificate, or continuing education program as determined by the
4 institution at which the child is enrolled in accordance with the
5 institution's policy regarding eligibility for financial aid; and

6 (3) be 25 years of age or younger on the first day of
7 the semester or other academic term for which the exemption is
8 claimed.

9 (p) An institution of higher education shall require a
10 person receiving an exemption under this section to complete a Free
11 Application for Federal Student Aid (FAFSA). The institution may
12 not use the information obtained from a person's FAFSA to encourage
13 or require the person to obtain a student loan, but may use the
14 information to make a person aware of grant opportunities.

15 SECTION 2. The changes in law made by this Act to Section
16 54.341, Education Code, apply beginning with tuition and fees
17 charged for the 2015 fall semester. Tuition and fees charged for a
18 term or semester before the 2015 fall semester are governed by the
19 law in effect immediately before the effective date of this Act, and
20 the former law is continued in effect for that purpose.

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