

By: Huberty

H.B. No. 364

A BILL TO BE ENTITLED

AN ACT

relating to exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education.

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

SECTION 1. The heading to Section 54.352, Education Code, is amended to read as follows:

Sec. 54.352. DISABLED PEACE OFFICERS AND FIRE FIGHTERS [~~OPTIONAL EXEMPTION~~].

SECTION 2. Sections 54.352(a) and (h), Education Code, are amended to read as follows:

(a) The governing board of an institution of higher education shall [~~may~~] exempt a student from the payment of tuition and [~~required~~] fees [~~authorized by this chapter~~] for a course for which space is available if the student:

(1) is a resident of this state and has resided in this state for the 12 months immediately preceding the beginning of the semester or session for which an exemption is sought;

(2) is permanently disabled as a result of an injury suffered during the performance of a duty as:

(A) a peace officer of this state or a political subdivision of this state; or

(B) a fire fighter, as defined by Section 614.001, Government Code, employed by this state or a political

1 subdivision of this state; and

2 (3) is unable to continue employment as a peace
3 officer or fire fighter because of the disability.

4 (h) For the purpose of this section, a peace officer or a
5 fire fighter is considered permanently disabled only if the chief
6 administrative officer of the law enforcement agency, fire
7 department, or other entity that employed the officer or fire
8 fighter at the time of the injury determines the officer or fire
9 fighter is permanently disabled and satisfies any requirement of an
10 institution under Subsection (e).

11 SECTION 3. The changes in law made by this Act apply to an
12 exemption from tuition and fees beginning with the 2017 fall
13 semester.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.