

By: Lozano, Blanco

H.B. No. 3766

Substitute the following for H.B. No. 3766:

By: Lozano

C.S.H.B. No. 3766

A BILL TO BE ENTITLED

AN ACT

relating to tuition and fee exemptions or waivers at public institutions of higher education.

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

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.201 to read as follows:

Sec. 54.201. CERTAIN FINANCIAL AID ELIGIBILITY INFORMATION REQUIRED. (a) Notwithstanding any other law and subject to Subsection (b), to qualify for an exemption, waiver, or other benefit authorized under this subchapter for enrollment at an institution of higher education during an academic year, a person must:

(1) complete a free application for federal student aid (FAFSA) for that academic year and:

(A) submit the person's FAFSA student aid report to the institution; or

(B) designate the institution as a preferred institution to receive the report from the United States Department of Education; or

(2) if the person is not eligible to receive federal student aid, complete and submit to the institution the Texas Application for State Financial Aid (TASFA) or a similar application for state student financial assistance.

(b) Subsection (a) does not apply to a person who receives a

1 waiver under Section 54.216.

2 SECTION 2. Sections 54.341(1) and (n), Education Code, are
3 amended to read as follows:

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

6 (1) be a student who is classified as a resident under
7 Subchapter B when the child enrolls in an institution of higher
8 education;

9 (2) be [~~as~~] a graduate or undergraduate student[~~,
10 maintain a grade point average that satisfies the grade point
11 average requirement for making satisfactory academic progress in a
12 degree, certificate, or continuing education program as determined
13 by the institution at which the child is enrolled in accordance with
14 the institution's policy regarding eligibility for financial aid~~];
15 [~~and~~]

16 (3) maintain:

17 (A) a course load of at least 24 semester credit
18 hours per academic year; and

19 (B) a cumulative grade point average of at least
20 2.5 on a four-point scale or the equivalent;

21 (4) be 25 years of age or younger on the first class
22 date [~~day~~] of the semester or other academic term for which the
23 exemption is claimed; and

24 (5) if eligible, have exhausted all benefits available
25 to the child under the federal Post-9/11 Veterans Educational
26 Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.) or any other
27 federal law authorizing educational benefits for veterans.

1 (n) The Texas Veterans Commission by rule shall prescribe
2 procedures by which a child assigned an exemption under Subsection
3 (k) who suffered from a severe illness or other debilitating
4 condition that affected the child's ability to use the exemption
5 before reaching the age described by Subsection (1)(4) [~~(1)(3)~~] may
6 be granted additional time to use the exemption corresponding to
7 the time the child was unable to use the exemption because of the
8 illness or condition.

9 SECTION 3. Section [434.00791\(b\)](#), Government Code, is
10 amended to read as follows:

11 (b) The commission shall ensure a system to electronically
12 monitor the use of tuition and fee exemptions at institutions of
13 higher education under Section [54.341](#), Education Code, is
14 developed. The system must allow the commission to electronically
15 receive, for each semester, the following information from
16 institutions of higher education:

17 (1) the name of the institution;

18 (2) the name, identification number, and date of birth
19 of each individual attending the institution and receiving benefits
20 for the semester under Section [54.341](#), Education Code;

21 (3) for each individual receiving benefits, the number
22 of credit hours for which the individual received an exemption for
23 the semester;

24 (4) for each individual receiving benefits at the
25 institution during the semester, the total cumulative number of
26 credit hours for which the individual has received an exemption at
27 the institution; [~~and~~]

1 (5) for each individual receiving benefits, the length
2 of service of the person eligible for an exemption under Section
3 54.341(a), Education Code, as indicated by official documentation
4 from the United States Department of Defense; and

5 (6) any other information required by the commission.

6 SECTION 4. (a) Except as otherwise provided by this
7 section, the changes in law made by this Act apply beginning with
8 tuition and fees charged for the 2017 fall semester. Tuition and
9 fees charged for a term or semester before the 2017 fall semester
10 are governed by the law in effect immediately before the effective
11 date of this Act, and the former law is continued in effect for that
12 purpose.

13 (b) Section 54.201, Education Code, as added by this Act,
14 applies to a person's eligibility for an exemption or waiver from
15 the payment of all or part of tuition or other fees beginning with
16 tuition and fees charged for the 2018 fall semester.

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2017.