

BILL ANALYSIS

Senate Research Center
86R2123 JRJ-D

H.B. 739
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Higher Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised regarding statutory provisions relating to in-state tuition for the spouses and children of deployed military personnel. There have been reports that ambiguities in certain language may cause members of affected families to be mistakenly charged tuition at the out-of-state rate.

H.B. 739 seeks to address these concerns by clarifying the resident status of certain military spouses. It would amend the Education Code to require a public institution of higher education to permit a spouse of a member of the U.S. armed forces who is stationed outside Texas to pay the tuition, fees, and other charges provided for Texas residents if the spouse graduated from a public or private high school in Texas or received the equivalent of a high school diploma in Texas and maintained a domicile in Texas continuously for at least one year before the member was assigned to duty outside Texas.

H.B. 739 amends current law relating to tuition and fees for certain military spouses and dependents.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.241(g), Education Code, as follows:

(g) Requires an institution of higher education, if a member of the Armed Forces of the United States is stationed outside Texas, rather than requiring an institution of higher education, if a member of the Armed Forces of the United States is stationed outside Texas, and the member's spouse or child establishes residence in Texas by residing in Texas and by filing with the Texas institution of higher education at which the spouse or child plans to register a letter of intent to establish residence in Texas, to:

(1) permit the member's spouse or child to pay the tuition, fees, and other charges provided for Texas residents without regard to the length of time that the spouse or child has resided in Texas if the spouse or child establishes residence in Texas by residing in Texas and by filing with the Texas institution of higher education at which the spouse or child plans to register a letter of intent to establish residence in Texas; and

(2) permit the member's spouse to pay the tuition, fees, and other charges provided for Texas residents if the spouse:

(A) graduated from a public or private high school in this state or received the equivalent of a high school diploma in this state; and

(B) maintained a domicile in this state continuously for at least one year before the member was assigned to duty outside Texas.

SECTION 2. Provides that the change in law made by this Act applies beginning with tuition and fees charged for the 2019 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2019.