By:  Creighton S.B. No. 1758

(Pacheco)

A BILL TO BE ENTITLED

AN ACT

relating to the application of certain occupation-related postsecondary educational financial aid and student loan repayment programs.

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

SECTION 1.  Section 61.605(a), Education Code, is amended to read as follows:

(a)  The board may provide repayment assistance under this subchapter for the repayment of any student loan, including a loan for undergraduate education, received by an eligible person through any lender for education at:

(1)  an institution of higher education;

(2)  [~~,~~] a private or independent institution of higher education;

(3)  [~~, or~~] a public or private out-of-state institution of higher education accredited by a recognized accrediting agency; or

(4)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor[~~, including loans for undergraduate education, received by an eligible person through any lender~~].

SECTION 2.  Section 61.608(b), Education Code, is amended to read as follows:

(b)  The board shall distribute to each institution of higher education or private or independent institution of higher education, each college or university described by Section 61.605(a)(4), and [~~to~~] any appropriate state agency and professional association copies of the rules adopted under this section and other pertinent information relating to this subchapter.

SECTION 3.  Section 61.9621, Education Code, is amended to read as follows:

Sec. 61.9621.  DEFINITION. In this subchapter, "professional nursing program" means an educational program preparing students for initial licensure as registered nurses offered by:

(1)  a public or private institution of higher education; or

(2)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor [~~for preparing students for initial licensure as registered nurses~~].

SECTION 4.  Section 61.96232(a), Education Code, is amended to read as follows:

(a)  The board by rule shall establish a process under which a public or private institution of higher education or an institution described by Section 61.9621(2) that offers a professional nursing program may apply for a grant under this subchapter and the commissioner of higher education, contingent on appropriations of money for the grants, selects one or more applicants to receive a grant based on criteria established by board rule. The criteria must include the institution's agreement that the institution's professional nursing program will enroll additional students or graduate additional students prepared for initial licensure as registered nurses.

SECTION 5.  Section 61.9751(2), Education Code, is amended to read as follows:

(2)  "Nursing education program" means:

(A)  an undergraduate professional nursing program or a graduate professional nursing program as those terms are defined by Section 54.355; and

(B)  a comparable nursing program offered by a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

SECTION 6.  Section 61.9821, Education Code, is amended to read as follows:

Sec. 61.9821.  REPAYMENT AUTHORIZED. The board shall establish and administer a program to provide, in accordance with this subchapter and board rules, assistance in the repayment of student loans for nurses who:

(1)  are serving on the faculties of nursing degree programs at institutions to which this subchapter applies [~~of higher education or private or independent institutions of higher education~~] in positions that require an advanced degree in professional nursing; and

(2)  apply and qualify for the assistance.

SECTION 7.  Subchapter JJ, Chapter 61, Education Code, is amended by adding Section 61.98211 to read as follows:

Sec. 61.98211.  APPLICABILITY OF SUBCHAPTER. This subchapter applies to:

(1)  an institution of higher education;

(2)  a private or independent institution of higher education; and

(3)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

SECTION 8.  Section 61.9822, Education Code, is amended to read as follows:

Sec. 61.9822.  ELIGIBILITY. To be eligible to receive loan repayment assistance under this subchapter, a nurse must:

(1)  apply to the board;

(2)  at the time of application for repayment assistance have been employed full-time for at least one year as, and be currently employed full-time as, a faculty member of a nursing degree program at an institution to which this subchapter applies [~~of higher education or a private or independent institution of higher education~~]; and

(3)  comply with any additional requirements adopted by board rule.

SECTION 9.  Section 61.9823(a), Education Code, is amended to read as follows:

(a)  On qualifying for loan repayment assistance under this subchapter, a nurse may receive repayment assistance for each year of full-time employment as a faculty member of a nursing degree program at an institution to which this subchapter applies [~~of higher education or private or independent institution of higher education~~], not to exceed five years.

SECTION 10.  Section 61.9824(a), Education Code, is amended to read as follows:

(a)  The board may provide repayment assistance for the repayment of any student loan received by an eligible person through any lender that is for education, including undergraduate education, at:

(1)  a public or private institution of higher education; or

(2)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor [~~any public or private institution of higher education, including a loan for undergraduate education, received by an eligible person through any lender~~].

SECTION 11.  Section 61.9828(b), Education Code, is amended to read as follows:

(b)  The board shall distribute a copy of the rules adopted under this section and pertinent information regarding this subchapter to:

(1)  each institution to which this subchapter applies [~~of higher education and private or independent institution of higher education~~];

(2)  any appropriate state agency; and

(3)  any appropriate professional association.

SECTION 12.  Section 61.9835(a), Education Code, is amended to read as follows:

(a)  The board may provide repayment assistance under this subchapter for the repayment of any student loan received by an eligible person through an eligible lender that[~~:~~

[~~(1)~~]  is for education at:

(1)  a public or private institution of higher education; or [~~and~~]

(2)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor [~~is received by an eligible person through an eligible lender~~].

SECTION 13.  As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall adopt any rules necessary to administer the changes in law made by this Act.

SECTION 14.  The Texas Higher Education Coordinating Board may not award grants under the professional nursing shortage reduction program as provided by the changes in law made by this Act to Sections 61.9621 and 61.96232, Education Code, before June 1, 2021.

SECTION 15.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.