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By:  Creighton S.B. No. 1758

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1.  Section 56.351, Education Code, is amended to read as follows:

Sec. 56.351.  DEFINITIONS [~~DEFINITION~~]. In this subchapter:

(1)  "Coordinating [~~, "coordinating~~] board" means the Texas Higher Education Coordinating Board.

(2)  "Eligible institution" means:

(A)  a public or private institution of higher education in this state; or

(B)  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 2.  Section 56.354(a), Education Code, is amended to read as follows:

(a)  A person may receive Teach for Texas loan repayment assistance under this subchapter for the repayment of any student loan for education at any eligible institution [~~public or private institution of higher education~~] through any lender. If the loan is not a state or federal guaranteed student loan, the note or other writing governing the terms of the loan must require the loan proceeds to be used for expenses incurred by a person to attend an eligible [~~a public or private~~] institution [~~of higher education~~].

SECTION 3.  Section 56.357(b), Education Code, is amended to read as follows:

(b)  To be eligible for a grant under the program, a person must apply for a grant and:

(1)  have received a baccalaureate degree from an eligible institution [~~of higher education~~] or an accredited out-of-state institution of higher education; and

(2)  enroll in an alternative educator certification program described by Section 21.049 and satisfy either of the following conditions:

(A)  be seeking educator certification in a teaching field certified by the commissioner of education as experiencing a critical shortage of teachers in this state in the year in which the person receives the grant and agree to teach for five years in a public school in this state in that teaching field; or

(B)  agree to teach for five years in a public school in this state in a community, which is not required to be specifically designated at the time the person receives the grant, certified by the commissioner of education as experiencing a critical shortage of teachers in any year in which the person receives a grant under this section or in any subsequent year in which the person fulfills the teaching obligation.

SECTION 4.  Section 56.3575(b), Education Code, is amended to read as follows:

(b)  The coordinating board shall distribute a copy of the rules adopted under this section and pertinent information relating to this subchapter to each eligible [~~public or private~~] institution [~~of higher education in this state~~] that offers an educator certification program, including an alternative educator certification program or another equivalent program.

SECTION 5.  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 6.  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, or 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 7.  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 8.  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 9.  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 10.  Subchapter FF, Chapter 61, Education Code, is amended by adding Section 61.97711 to read as follows:

Sec. 61.97711.  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 11.  Section 61.9772(a), Education Code, is amended to read as follows:

(a)  To receive an initial scholarship under this subchapter, a student must:

(1)  be enrolled in an [~~a public or private~~] institution to which this subchapter applies [~~of higher education in this state~~];

(2)  enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program or another undergraduate officer commissioning program such as the United States Marine Corps Platoon Leaders Class while enrolled in the [~~a public or private~~] institution [~~of higher education in this state~~];

(3)  be appointed to receive a scholarship by the governor, the lieutenant governor, a state senator, or a state representative; and

(4)  enter into an agreement with the board under Section 61.9773.

SECTION 12.  Section 61.9773(a), Education Code, is amended to read as follows:

(a)  To receive a scholarship under this subchapter, a student must enter into an agreement with the board as provided by this section.  The agreement must require the student to:

(1)  complete four years of ROTC training or complete another undergraduate officer commissioning program such as the United States Marine Corps Platoon Leaders Class;

(2)  graduate not later than six years after the date the student first enrolls in an [~~a public or private~~] institution to which this subchapter applies [~~of higher education in this state~~];

(3)  after graduation, enter into:

(A)  a four-year commitment to be a member of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine; or

(B)  a contract to serve as a commissioned officer in any branch of the armed services of the United States;

(4)  meet the physical examination requirements and all other prescreening requirements of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine or the branch of the armed services with which the student enters into a contract; and

(5)  agree to repay the scholarship if the student:

(A)  fails to maintain satisfactory academic progress;

(B)  withdraws from the scholarship program; or

(C)  fails to fulfill a commitment or contract described by Subdivision (3).

SECTION 13.  Section 61.9775(b), Education Code, is amended to read as follows:

(b)  A scholarship awarded to a student under this subchapter shall be reduced for an academic year by the amount by which the full amount of the scholarship plus the total amount to be paid to the student for being under contract with one of the branches of the armed services of the United States exceeds the student's total cost of attendance for that academic year at the [~~public or private~~] institution to which this subchapter applies [~~of higher education~~] in which the student is enrolled.

SECTION 14.  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 15.  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 16.  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 17.  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 18.  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 for education at any [~~public or private~~] institution to which this subchapter applies [~~of higher education~~], including a loan for undergraduate education, received by an eligible person through any lender.

SECTION 19.  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 20.  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 21.  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 22.  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.