

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on the amount of tuition charged by public institutions of higher education.

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

SECTION 1. Subchapter B, Chapter 54, Education Code, is amended by adding Section 54.0514 to read as follows:

Sec. 54.0514. LIMITATION ON TOTAL AMOUNT OF TUITION. (a)

In this section, "tuition" includes:

(1) tuition for which the rates are prescribed by this chapter; and

(2) tuition charged by an institution of higher education under Section 54.0513 or another law authorizing an institution to establish tuition rates.

(a-1) This section does not apply to tuition charged by an institution of higher education for an academic period before the 2020-2021 academic year. This subsection expires January 1, 2021.

(b) The total amount of tuition charged by an institution of higher education to a student for an academic year may not exceed the total amount of tuition that the institution would have charged under this chapter to a similarly situated student for the 2019-2020 academic year. For purposes of this subsection, students are similarly situated if they share the same residency status, degree program, course load, course level, tuition exemption status, and other circumstances affecting the tuition charged to

1 students. This subsection does not ensure that the total amount of  
2 tuition charged to an individual student does not increase based on  
3 a change in the student's residency status, degree program, course  
4 load, course level, tuition exemption status, or other circumstance  
5 affecting the tuition charged to the student.

6 SECTION 2. Sections 54.0513(a) and (b), Education Code, are  
7 amended to read as follows:

8 (a) In addition to amounts that a governing board of an  
9 institution of higher education is authorized to charge as tuition  
10 under the other provisions of this chapter, the governing board[~~,~~  
11 ~~under the terms the governing board considers appropriate,~~] may  
12 charge any student an amount designated as tuition, not to exceed  
13 the amount that enables the institution to comply with Section  
14 54.0514, that the governing board considers necessary for the  
15 effective operation of the institution.

16 (b) Subject to the limit provided by Subsection (a) on the  
17 amount designated as tuition charged under this section, a [A]  
18 governing board may set a different tuition rate under this section  
19 for each program and course level offered by each institution of  
20 higher education[~~. A governing board may set a different tuition~~  
21 ~~rate]~~ as the governing board considers appropriate to increase  
22 graduation rates, encourage efficient use of facilities, or enhance  
23 employee performance.

24 SECTION 3. Sections 54.0515(e) and (f), Education Code, are  
25 amended to read as follows:

26 (e) It is the legislature's intent that each institution of  
27 higher education[~~, as a condition to tuition deregulation under~~

1 ~~Section 54.0513,~~] reasonably implement the following:

2 (1) each institution shall make satisfactory progress  
3 towards the goals provided in its master plan for higher education  
4 and in "Closing the Gaps," the state's master plan for higher  
5 education, or a successor state master plan; and

6 (2) each institution shall meet acceptable  
7 performance criteria, including measures such as graduation rates,  
8 retention rates, enrollment growth, educational quality, efforts  
9 to enhance minority participation, opportunities for financial  
10 aid, and affordability.

11 (f) The committee shall:

12 (1) meet at the call of either chair;

13 (2) monitor and regularly report to the legislature on  
14 each institution of higher education's compliance with the  
15 requirements of Subsection (e); and

16 (3) receive and review information concerning the  
17 affordability and accessibility of higher education~~[, including~~  
18 ~~the impact of tuition deregulation]~~.

19 SECTION 4. This Act applies beginning with tuition charged  
20 by public institutions of higher education for the 2020 fall  
21 semester. Tuition charged by an institution of higher education in  
22 an academic period before that semester is covered by the law in  
23 effect before the effective date of this Act, and the former law is  
24 continued in effect for that purpose.

25 SECTION 5. This Act takes effect January 1, 2020.