

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

1 writing governing the terms of the loan must require the loan  
2 proceeds to be used for expenses incurred by a person to attend an  
3 eligible ~~[a public or private]~~ institution ~~[of higher education]~~.

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

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

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

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

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

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

27 SECTION 4. Section 56.3575(b), Education Code, is amended

1 to read as follows:

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

8 SECTION 5. Section 61.605(a), Education Code, is amended to  
9 read as follows:

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

14 (1) an institution of higher education;

15 (2) [~~r~~] a private or independent institution of higher  
16 education;

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

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

25 SECTION 6. Section 61.608(b), Education Code, is amended to  
26 read as follows:

27 (b) The board shall distribute to each institution of higher

1 education, ~~[or]~~ private or independent institution of higher  
2 education, or college or university described by Section  
3 61.605(a)(4) and to any appropriate state agency and professional  
4 association copies of the rules adopted under this section and  
5 other pertinent information relating to this subchapter.

6 SECTION 7. Section 61.9621, Education Code, is amended to  
7 read as follows:

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

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

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

19 SECTION 8. Section 61.96232(a), Education Code, is amended  
20 to read as follows:

21 (a) The board by rule shall establish a process under which  
22 a public or private institution of higher education or an  
23 institution described by Section 61.9621(2) that offers a  
24 professional nursing program may apply for a grant under this  
25 subchapter and the commissioner of higher education, contingent on  
26 appropriations of money for the grants, selects one or more  
27 applicants to receive a grant based on criteria established by

1 board rule. The criteria must include the institution's agreement  
2 that the institution's professional nursing program will enroll  
3 additional students or graduate additional students prepared for  
4 initial licensure as registered nurses.

5 SECTION 9. Section 61.9751(2), Education Code, is amended  
6 to read as follows:

7 (2) "Nursing education program" means:

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

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

15 SECTION 10. Subchapter FF, Chapter 61, Education Code, is  
16 amended by adding Section 61.97711 to read as follows:

17 Sec. 61.97711. APPLICABILITY OF SUBCHAPTER. This  
18 subchapter applies to:

19 (1) an institution of higher education;

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

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

26 SECTION 11. Section 61.9772(a), Education Code, is amended  
27 to read as follows:

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

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

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

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

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

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

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

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

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

27 (3) after graduation, enter into:

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

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

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

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

13 (A) fails to maintain satisfactory academic  
14 progress;

15 (B) withdraws from the scholarship program; or

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

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

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

1 SECTION 14. Section 61.9821, Education Code, is amended to  
2 read as follows:

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

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

12 (2) apply and qualify for the assistance.

13 SECTION 15. Subchapter JJ, Chapter 61, Education Code, is  
14 amended by adding Section 61.98211 to read as follows:

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

17 (1) an institution of higher education;

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

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

24 SECTION 16. Section 61.9822, Education Code, is amended to  
25 read as follows:

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

- 1           (1) apply to the board;
- 2           (2) at the time of application for repayment
- 3 assistance have been employed full-time for at least one year as,
- 4 and be currently employed full-time as, a faculty member of a
- 5 nursing degree program at an institution to which this subchapter
- 6 applies [~~of higher education or a private or independent~~
- 7 ~~institution of higher education~~]; and
- 8           (3) comply with any additional requirements adopted by
- 9 board rule.

10           SECTION 17. Section 61.9823(a), Education Code, is amended

11 to read as follows:

12           (a) On qualifying for loan repayment assistance under this

13 subchapter, a nurse may receive repayment assistance for each year

14 of full-time employment as a faculty member of a nursing degree

15 program at an institution to which this subchapter applies [~~of~~

16 ~~higher education or private or independent institution of higher~~

17 ~~education~~], not to exceed five years.

18           SECTION 18. Section 61.9824(a), Education Code, is amended

19 to read as follows:

20           (a) The board may provide repayment assistance for the

21 repayment of any student loan for education at any [~~public or~~

22 ~~private~~] institution to which this subchapter applies [~~of higher~~

23 ~~education~~], including a loan for undergraduate education, received

24 by an eligible person through any lender.

25           SECTION 19. Section 61.9828(b), Education Code, is amended

26 to read as follows:

27           (b) The board shall distribute a copy of the rules adopted

1 under this section and pertinent information regarding this  
2 subchapter to:

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

6 (2) any appropriate state agency; and

7 (3) any appropriate professional association.

8 SECTION 20. Section 61.9835(a), Education Code, is amended  
9 to read as follows:

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

13 ~~[(1)]~~ is for education at:

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

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

21 SECTION 21. As soon as practicable after the effective date  
22 of this Act, the Texas Higher Education Coordinating Board shall  
23 adopt any rules necessary to administer the changes in law made by  
24 this Act.

25 SECTION 22. This Act takes effect immediately if it  
26 receives a vote of two-thirds of all the members elected to each  
27 house, as provided by Section 39, Article III, Texas Constitution.

S.B. No. 1758

1 If this Act does not receive the vote necessary for immediate  
2 effect, this Act takes effect September 1, 2019.