

By: Campbell

S.B. No. 2317

A BILL TO BE ENTITLED

AN ACT

relating to the liability for unpaid tuition and fees at a public institution of higher education due to a misclassification of certain military personnel and their dependents.

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

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.3412 to read as follows:

Sec. 54.3412. LIABILITY FOR UNPAID TUITION AND REQUIRED FEES DUE TO MISCLASSIFICATION AS TEXAS VETERAN, SPOUSE, OR DEPENDENT. (a) An institution of higher education may elect to collect all or part of any tuition, fees, or other required charges for which a person was granted an exemption under Section 54.341 if the person did not qualify for that exemption. The person is liable for the amount of tuition, fees, and other required charges the person would have paid to the institution without the exemption.

(b) The person shall pay the applicable amount to the institution of higher education not later than the 30th day after the date the person is notified of the person's liability for the amount owed. After receiving the notice and until the amount is paid in full, the person is not entitled to receive from the institution a certificate or diploma, if not yet awarded on the date of the notice, or official transcript that is based at least partially on or includes credit for courses taken while the person was erroneously granted an exemption under Section 54.341.

1 (c) The Texas Veterans Commission periodically shall audit
2 applications submitted by persons seeking an exemption from
3 tuition, fees, and other required charges under Section 54.341 to
4 verify qualifications for the exemptions under that section. The
5 commission shall ensure an audit under this subsection is conducted
6 in compliance with federal law regarding confidentiality of student
7 medical or educational information, including the Health Insurance
8 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d
9 et seq.) and the Family Educational Rights and Privacy Act of 1974
10 (20 U.S.C. Section 1232g), and any state law relating to the privacy
11 of student information. The commission shall report the findings
12 of its audits to the applicable institutions of higher education.

13 SECTION 2. This Act takes effect September 1, 2019.