

1-1 By: Campbell S.B. No. 2317
1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read
1-3 first time and referred to Committee on Veteran Affairs & Border
1-4 Security; April 9, 2019, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; April 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Campbell	X		
1-9	Hall	X		
1-10	Johnson	X		
1-11	Lucio	X		
1-12	Menéndez	X		
1-13	Schwertner	X		
1-14	Seliger	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the liability for unpaid tuition and fees at a public
1-18 institution of higher education due to a misclassification of
1-19 certain military personnel and their dependents.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter D, Chapter 54, Education Code, is
1-22 amended by adding Section 54.3412 to read as follows:

1-23 Sec. 54.3412. LIABILITY FOR UNPAID TUITION AND REQUIRED
1-24 FEES DUE TO MISCLASSIFICATION AS TEXAS VETERAN, SPOUSE, OR
1-25 DEPENDENT. (a) An institution of higher education may elect to
1-26 collect all or part of any tuition, fees, or other required charges
1-27 for which a person was granted an exemption under Section 54.341
1-28 if the person did not qualify for that exemption. The person is liable
1-29 for the amount of tuition, fees, and other required charges the
1-30 person would have paid to the institution without the exemption.

1-31 (b) The person shall pay the applicable amount to the
1-32 institution of higher education not later than the 30th day after
1-33 the date the person is notified of the person's liability for the
1-34 amount owed. After receiving the notice and until the amount is
1-35 paid in full, the person is not entitled to receive from the
1-36 institution a certificate or diploma, if not yet awarded on the date
1-37 of the notice, or official transcript that is based at least
1-38 partially on or includes credit for courses taken while the person
1-39 was erroneously granted an exemption under Section 54.341.

1-40 (c) The Texas Veterans Commission periodically shall audit
1-41 applications submitted by persons seeking an exemption from
1-42 tuition, fees, and other required charges under Section 54.341 to
1-43 verify qualifications for the exemptions under that section. The
1-44 commission shall ensure an audit under this subsection is conducted
1-45 in compliance with federal law regarding confidentiality of student
1-46 medical or educational information, including the Health Insurance
1-47 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d
1-48 et seq.) and the Family Educational Rights and Privacy Act of 1974
1-49 (20 U.S.C. Section 1232g), and any state law relating to the privacy
1-50 of student information. The commission shall report the findings
1-51 of its audits to the applicable institutions of higher education.

1-52 SECTION 2. This Act takes effect September 1, 2019.

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