87R10324 MM-F

By:  Lucio S.B. No. 1051

A BILL TO BE ENTITLED

AN ACT

relating to student loan repayment assistance for school counselors employed by a school district.

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

SECTION 1.  Chapter 61, Education Code, is amended by adding Subchapter M-1 to read as follows:

SUBCHAPTER M-1. REPAYMENT OF CERTAIN SCHOOL COUNSELOR EDUCATION LOANS

Sec. 61.721.  LOAN REPAYMENT ASSISTANCE AUTHORIZED. Subject to Section 61.728, the board shall provide, in accordance with this subchapter and board rules, assistance in the repayment of eligible student loans for eligible school counselors who apply and qualify for the assistance.

Sec. 61.722.  ELIGIBILITY. To be eligible to receive loan repayment assistance under this subchapter, a school counselor must:

(1)  apply annually for the repayment assistance in a manner prescribed by the board;

(2)  be a United States citizen or permanent resident alien;

(3)  have earned at least a master's degree related to counseling from any public or accredited private institution of higher education;

(4)  be certified as a school counselor under Subchapter B, Chapter 21; and

(5)  have completed one, two, three, four, or five years of consecutive employment by a school district in this state:

(A)  all or part of which is located in a federally designated mental health care health professional shortage area; or

(B)  at a school that receives federal funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.).

Sec. 61.723.  LIMITATIONS. A school counselor may receive loan repayment assistance under this subchapter for not more than five years.

Sec. 61.724.  ELIGIBLE LOANS. (a) The board may provide loan repayment assistance under this subchapter for the repayment of any student loan for education at an institution of higher education, a private or independent institution of higher education, or a public or private out-of-state institution of higher education accredited by a recognized accrediting agency, including loans for undergraduate education, received by an eligible person through any lender.

(b)  The board may not provide repayment assistance for a student loan that is in default at the time of the person's application.

(c)  In each state fiscal biennium, the board shall attempt to allocate all funds appropriated to the board for the purpose of providing loan repayment assistance under this subchapter.

Sec. 61.725.  REPAYMENT. (a) The board shall deliver any repayment under this subchapter in a lump sum payable:

(1)  to both the lender or other holder of the loan and the school counselor; or

(2)  directly to the lender or other holder of the loan on the school counselor's behalf.

(b)  A repayment under this subchapter may be applied to any amount due in connection with the loan.

Sec. 61.726.  AMOUNT OF REPAYMENT ASSISTANCE. (a) A school counselor may receive loan repayment assistance under this subchapter for each year the school counselor establishes eligibility for the assistance in an amount determined by applying the following applicable percentage to the maximum total amount of assistance allowed for the school counselor under Subsection (b):

(1)  for the first year, 10 percent;

(2)  for the second year, 15 percent;

(3)  for the third year, 20 percent;

(4)  for the fourth year, 25 percent; and

(5)  for the fifth year, 30 percent.

(b)  The total amount of repayment assistance received by a school counselor under this subchapter may not exceed:

(1)  $80,000, for assistance received by a school counselor who holds a doctoral degree related to counseling; and

(2)  $40,000, for assistance received by a school counselor who holds a master's degree related to counseling.

(c)  The total amount of loan repayment assistance provided under this subchapter may not exceed the sum of:

(1)  the total amount of gifts and grants accepted by the board for the repayment assistance;

(2)  legislative appropriations for the repayment assistance; and

(3)  other funds available to the board for the repayment assistance.

(d)  The board may adjust in an equitable manner the distribution amounts that school counselors would otherwise receive under Subsection (a) for a year as necessary to comply with Subsection (c).

Sec. 61.727.  RULES; ADMINISTRATION. (a) The board shall adopt rules necessary to administer this subchapter.

(b)  The board shall distribute to each institution of higher education or private or independent institution of higher education 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.

(c)  The board shall administer the program under this subchapter in a manner that maximizes any matching funds available through other sources.

Sec. 61.728.  APPROPRIATION CONTINGENCY; GIFTS AND GRANTS. (a) The board is required to implement this subchapter only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement this subchapter using other money available to the board for that purpose.

(b)  The board may solicit and accept gifts and grants from any public or private source for the purposes of this subchapter.

SECTION 2.  This Act takes effect September 1, 2021.