

By: Schaefer

H.B. No. 1408

A BILL TO BE ENTITLED

AN ACT

relating to temporary limitations on the amount of tuition and fees 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. TEMPORARY 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.

(b) Notwithstanding Section 54.0513 or another law authorizing an institution to establish tuition rates, the total amount of tuition charged by an institution of higher education to a student for a semester or term during the 2021-2022 or 2022-2023 academic year or for the 2023 fall semester may not exceed the total amount of tuition that the institution would have charged under this chapter to a similarly situated student for the 2020 summer term or fall semester, as applicable.

(c) For purposes of this section, students are similarly situated if they share the same residency status, degree program, course load, course level, tuition exemption status, and other

1 circumstances affecting the tuition charged to the student.

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

7 (e) The Texas Higher Education Coordinating Board may adopt
8 rules as necessary to administer this section.

9 (f) This section expires December 31, 2023.

10 SECTION 2. Subchapter E, Chapter 54, Education Code, is
11 amended by adding Section 54.5002 to read as follows:

12 Sec. 54.5002. TEMPORARY LIMITATIONS ON FEE INCREASES. (a)
13 Notwithstanding any other provision of this subchapter or other
14 law, in each semester or term during the 2021-2022 and 2022-2023
15 academic years and in the 2023 fall semester, the governing board of
16 an institution of higher education may not charge a fee under this
17 subchapter in an amount that is greater than the amount of the fee
18 charged by the institution for the 2020 summer term or fall
19 semester, as applicable.

20 (b) The limitation provided by this section applies to a fee
21 even if an increase in the amount of the fee is approved by a vote of
22 the students, student government, or student fee advisory committee
23 of the institution of higher education.

24 (c) This section expires December 31, 2023.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2021.