

By: Zaffirini

S.B. No. 33

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Promise Grant Program for certain students at public institutions of higher education.

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

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. TEXAS PROMISE GRANT PROGRAM

Sec. 56.601. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Program" means the Texas Promise Grant Program established under this subchapter.

Sec. 56.602. PROGRAM PURPOSE. The purpose of the Texas Promise Grant Program is to provide assistance in the payment of tuition and mandatory fees to enable eligible students to attend institutions of higher education.

Sec. 56.603. ADMINISTRATION OF PROGRAM; AWARD OF GRANT.

(a) The coordinating board shall administer the program and adopt any rules necessary to implement the program or this subchapter. The coordinating board shall consult with the student financial aid officers of institutions of higher education in developing the rules.

(b) The coordinating board shall award a grant to each eligible student under the program.

1 Sec. 56.604. INITIAL ELIGIBILITY FOR GRANT. (a) To be
2 eligible initially for a grant under the program, a person must:

3 (1) be a resident of this state as determined by
4 coordinating board rules;

5 (2) have an annual household income of less than
6 \$150,000;

7 (3) have graduated from high school or received a high
8 school equivalency certificate within the last three years;

9 (4) be enrolled in an associate or baccalaureate
10 degree or certificate program at an institution of higher
11 education;

12 (5) be enrolled as an entering student for at least
13 one-half of a full course load for an entering student in the
14 associate or baccalaureate degree or certificate program, as
15 determined by the coordinating board;

16 (6) have applied for any available financial aid or
17 assistance; and

18 (7) comply with any additional nonacademic or
19 nonfinancial requirement adopted by the coordinating board under
20 this subchapter.

21 (b) A person is not eligible to receive a grant under the
22 program if the person has been convicted of a felony or an offense
23 under Chapter 481, Health and Safety Code (Texas Controlled
24 Substances Act), or under the law of another jurisdiction involving
25 a controlled substance as defined by Chapter 481, Health and Safety
26 Code, unless the person has met the other applicable eligibility
27 requirements under the program and has:

1 (1) received a certificate of discharge by the Texas
2 Department of Criminal Justice or a correctional facility or
3 completed a period of probation ordered by a court, and at least two
4 years have elapsed from the date of the receipt or completion; or

5 (2) been pardoned, had the record of the offense
6 expunged from the person's record, or otherwise been released from
7 the resulting ineligibility to receive a grant under the program.

8 (c) A person is not eligible to receive a grant under the
9 program if the person has:

10 (1) been granted:

11 (A) a certificate for completion of a certificate
12 program; or

13 (B) an associate or baccalaureate degree; or

14 (2) completed more than the following number of
15 semester credit hours or the equivalent at an institution of higher
16 education, excluding semester credit hours or the equivalent earned
17 for a dual credit course:

18 (A) 90 semester credit hours or the equivalent,
19 if the person is enrolled in a degree or certificate program of two
20 years or less; or

21 (B) 135 semester credit hours or the equivalent,
22 if the person is enrolled in a degree or certificate program of more
23 than two years.

24 (d) A person may not receive a grant under the program for
25 more than:

26 (1) 75 semester credit hours or the equivalent, if the
27 person is enrolled in a degree or certificate program of two years

1 or less; or

2 (2) 150 semester credit hours or the equivalent, if
3 the person is enrolled in a degree or certificate program of more
4 than two years.

5 (e) A person's eligibility for a grant under the program
6 ends on:

7 (1) the third anniversary of the initial award of a
8 grant under the program to the person, if the person is enrolled in
9 a degree or certificate program of two years or less;

10 (2) the fifth anniversary of the initial award of a
11 grant under the program to the person, if the person is enrolled in
12 a degree or certificate program of more than two years but not more
13 than four years; or

14 (3) the sixth anniversary of the initial award of a
15 grant under the program to the person, if the person is enrolled in
16 a degree or certificate program of more than four years.

17 Sec. 56.605. CONTINUING ELIGIBILITY AND ACADEMIC
18 PERFORMANCE REQUIREMENTS. (a) After initially qualifying for a
19 grant under the program, a person may continue to receive a grant
20 under the program during each semester or term in which the person
21 is enrolled at an institution of higher education only if the
22 person:

23 (1) is enrolled in an associate or baccalaureate
24 degree or certificate program at an institution of higher
25 education;

26 (2) has an annual household income of less than
27 \$150,000;

1 (3) is enrolled for at least one-half of a full course
2 load for a student in an associate or baccalaureate degree or
3 certificate program, as determined by the coordinating board;

4 (4) makes satisfactory academic progress toward an
5 associate or baccalaureate degree or certificate; and

6 (5) complies with any additional nonacademic or
7 nonfinancial requirement adopted by the coordinating board.

8 (b) A person is not eligible to continue to receive a grant
9 under this section if the person has been convicted of a felony or
10 an offense under Chapter 481, Health and Safety Code (Texas
11 Controlled Substances Act), or under the law of another
12 jurisdiction involving a controlled substance as defined by Chapter
13 481, Health and Safety Code, unless the person has met the other
14 applicable eligibility requirements under this subchapter and has:

15 (1) received a certificate of discharge by the Texas
16 Department of Criminal Justice or a correctional facility or
17 completed a period of probation ordered by a court, and at least two
18 years have elapsed from the date of the receipt or completion; or

19 (2) been pardoned, had the record of the offense
20 expunged from the person's record, or otherwise been released from
21 the resulting ineligibility to receive a grant under the program.

22 (c) If a person fails to meet any of the requirements of
23 Subsection (a) after the completion of any semester or term, the
24 person may not receive a grant under the program during the next
25 semester or term in which the person enrolls. A person may become
26 eligible to receive a grant under the program in a subsequent
27 semester or term if the person:

1 (1) completes a semester or term during which the
2 person is not eligible for a grant; and

3 (2) meets all the requirements of Subsection (a).

4 (d) For the purpose of this section, a person makes
5 satisfactory academic progress toward an associate or
6 baccalaureate degree or certificate only if:

7 (1) in the person's first academic year, the person
8 meets the satisfactory academic progress requirements of the
9 institution at which the person is enrolled; and

10 (2) in the subsequent academic year, the person:

11 (A) completes at least 75 percent of the semester
12 credit hours or the equivalent attempted in the person's most
13 recent academic year; and

14 (B) has earned an overall grade point average of
15 at least 2.5 on a four-point scale or the equivalent on coursework
16 previously attempted at institutions of higher education.

17 (e) A person who is eligible to receive a grant under the
18 program continues to remain eligible to receive the grant if the
19 person enrolls in or transfers to another institution of higher
20 education.

21 (f) The coordinating board shall adopt rules to allow a
22 person who is otherwise eligible to receive a grant under the
23 program, in the event of a hardship or for other good cause shown,
24 including a showing of a severe illness or other debilitating
25 condition that may affect the person's academic performance or a
26 showing that the person is responsible for the care of a sick,
27 injured, or needy person and that the person's provision of care may

1 affect the person's academic performance, to receive a grant under
2 the program:

3 (1) while enrolled in a number of semester credit
4 hours that is less than the number of semester credit hours or the
5 equivalent required under Subsection (a)(3); or

6 (2) if the person's grade point average or completion
7 rate falls below the satisfactory academic progress requirements of
8 Subsection (d).

9 Sec. 56.606. GRANT USE. A grant awarded under the program
10 must be applied first to the payment of tuition and mandatory fees
11 at an institution of higher education.

12 Sec. 56.607. GRANT AMOUNT. (a) The amount of a grant
13 awarded to an eligible student under the program for a semester or
14 other academic term in which the student is enrolled at an
15 institution of higher education is:

16 (1) for a student whose annual household income is
17 less than \$100,000, an amount not to exceed the greater of:

18 (A) the difference between the amount of tuition
19 and mandatory fees charged to the student by the institution for
20 that semester or term and the amount of any other gift aid,
21 including state or federal grants or scholarships, awarded to the
22 student for that semester or term; or

23 (B) \$1,000; or

24 (2) for a student whose annual household income is
25 \$100,000 or more, an amount not to exceed the product of:

26 (A) the difference between the amount of tuition
27 and mandatory fees charged to the student by the institution for

1 that semester or term and the amount of any other gift aid,
2 including state or federal grants or scholarships, awarded to the
3 student for that semester or term; and

4 (B) the quotient of:

5 (i) the difference between the maximum
6 annual household income for which a student may be eligible for a
7 grant under the program and the student's annual household income;
8 and

9 (ii) 50,000.

10 (b) The coordinating board may adopt rules that allow the
11 coordinating board to decrease, in proportion to the number of
12 semester credit hours or the equivalent in which a student is
13 enrolled, the amount of a grant award under Subsection (a)(1)(B) to
14 a student who is enrolled in less than a full course load for a
15 student in an associate or baccalaureate degree or certificate
16 program, as determined by the coordinating board.

17 (c) A grant may not be awarded under the program to an
18 eligible student for a semester or other academic term until any
19 other gift aid for which the student is eligible has been awarded to
20 the student and the amount of tuition and mandatory fees owed by the
21 student has been established for purposes of determining the
22 appropriate amount of the student's grant under Subsection (a).

23 (d) The coordinating board shall issue to each eligible
24 student a certificate indicating the amount of the grant awarded to
25 the student.

26 Sec. 56.608. NOTIFICATION OF PROGRAM; RESPONSIBILITIES OF
27 SCHOOL DISTRICTS. (a) The coordinating board, in consultation

1 with all institutions of higher education, shall prepare materials
2 designed to inform prospective students, their parents, and high
3 school counselors about the program and eligibility for a grant
4 under the program. The coordinating board shall distribute to each
5 institution of higher education and to each school district a copy
6 of the materials prepared under this section.

7 (b) Each school district shall notify its high school
8 students, those students' teachers and school counselors, and those
9 students' parents or guardians of the program and the eligibility
10 requirements of the program.

11 SECTION 2. (a) The Texas Higher Education Coordinating
12 Board shall adopt rules to administer Subchapter U, Chapter 56,
13 Education Code, as added by this Act, as soon as practicable after
14 the effective date of this Act. For that purpose, the coordinating
15 board may adopt the initial rules in the manner provided by law for
16 emergency rules.

17 (b) The Texas Higher Education Coordinating Board shall
18 begin awarding grants under Subchapter U, Chapter 56, Education
19 Code, as added by this Act, for the first academic year for which
20 money is appropriated for that purpose, except that the
21 coordinating board may not award grants under that subchapter for
22 an academic year before the 2022-2023 academic year.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2021.