

By: West

S.B. No. 1531

A BILL TO BE ENTITLED

AN ACT

1
2 relating to formula funding for excess undergraduate credit hours
3 at public institutions of higher education and to the tuition rate
4 that may be charged for those credit hours.

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

6 SECTION 1. Section 54.014, Education Code, is amended by
7 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
8 read as follows:

9 (a) An institution of higher education may charge a resident
10 undergraduate student tuition at a higher rate than the rate
11 charged to other resident undergraduate students, not to exceed the
12 rate charged to nonresident undergraduate students, if before the
13 semester or other academic session begins the student has
14 previously attempted a number of semester credit hours for courses
15 taken at any institution of higher education while classified as a
16 resident student for tuition purposes that exceeds [~~by at least 30~~
17 ~~hours~~] the number of semester credit hours required for completion
18 of the degree program in which the student is enrolled by at least:

19 (1) for an associate degree program, 15 hours; or

20 (2) for a baccalaureate degree program, 30 hours.

21 (a-1) For purposes of Subsection (a) [~~this subsection~~], an
22 undergraduate student who is not enrolled in a degree program is
23 considered to be enrolled in a baccalaureate degree program [~~or~~
24 ~~programs requiring a minimum of 120 semester credit hours,~~

1 ~~including minors and double majors, and for completion of any~~
2 ~~certificate or other special program in which the student is also~~
3 ~~enrolled, including a program with a study-abroad component].~~

4 (a-2) An institution of higher education that charges
5 students tuition at a higher rate under Subsection (a) [~~this~~
6 ~~subsection~~] may adopt a policy under which the institution exempts
7 from the payment of that higher rate a student that is subject to
8 the payment of the higher rate solely as a result of hardship as
9 determined by the institution under the policy.

10 SECTION 2. Sections [61.0595](#)(a) and (b), Education Code, are
11 amended to read as follows:

12 (a) In the formulas established under Section [61.059](#), the
13 board may not include funding for semester credit hours earned by a
14 resident undergraduate student who before the semester or other
15 academic session begins has previously attempted a number of
16 semester credit hours for courses taken at any institution of
17 higher education while classified as a resident student for tuition
18 purposes that exceeds [~~by at least 30 hours~~] the number of semester
19 credit hours required for completion of the degree program or
20 programs in which the student is enrolled, including minors and
21 double majors, and for completion of any certificate or other
22 special program in which the student is also enrolled, including a
23 program with a study-abroad component, by at least:

- 24 (1) for an associate degree program, 15 hours; or
25 (2) for a baccalaureate degree program, 30 hours.

26 (b) For purposes of Subsection (a), an undergraduate
27 student who is not enrolled in a degree program is considered to be

1 enrolled in a baccalaureate degree program [~~requiring a minimum of~~
2 ~~120 semester credit hours~~].

3 SECTION 3. Section [54.014](#), Education Code, as amended by
4 this Act, applies beginning with tuition charged for the 2023 fall
5 semester.

6 SECTION 4. Section [61.0595](#), Education Code, as amended by
7 this Act, applies beginning with funding recommendations made under
8 Section [61.059](#), Education Code, for the state fiscal biennium
9 beginning September 1, 2023.

10 SECTION 5. This Act takes effect September 1, 2021.