

Amend CSHB 4251 (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.05123 to read as follows:

Sec. 61.05123. BOARD APPROVAL REQUIRED FOR ACADEMIC PROGRAMS OFFERED TO CERTAIN STUDENTS WHO ARE INCARCERATED OR SUBJECT TO INVOLUNTARY CIVIL COMMITMENT. (a) In this section, "penal institution" has the meaning assigned by Article 62.001, Code of Criminal Procedure.

(b) An entity that seeks to offer a degree or certificate program to a person confined in a penal institution or required to reside in a facility operated by or under contract with the Texas Civil Commitment Office under Chapter 841, Health and Safety Code, must obtain the board's prior approval to offer the program if enrollment in the program would make the person eligible to receive a grant under the federal Pell Grant program.

(c) The board may adopt rules necessary to implement this section.

SECTION 2. Section 61.05123, Education Code, as added by this Act, applies beginning with degree and certificate programs offered for the 2023-2024 academic year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.