

By: Vasut

H.B. No. 557

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an educational expenses reimbursement program.

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

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. EDUCATIONAL EXPENSES REIMBURSEMENT PROGRAM

Sec. 33.301. DEFINITIONS. In this subchapter:

(1) "Parent" means a resident of this state who is a natural or adoptive parent, managing or possessory conservator, legal guardian, custodian, or other person with legal authority to act on behalf of a child.

(2) "Program" means the educational expenses reimbursement program established under this subchapter.

Sec. 33.302. ESTABLISHMENT OF PROGRAM. (a) The comptroller shall establish and administer an educational expenses reimbursement program to provide reimbursement to parents for eligible education-related expenses.

(b) The comptroller, with cooperation from the agency, shall ensure that information about the program is readily available to the public through various sources, including the agency's Internet website.

Sec. 33.303. ELIGIBLE EDUCATION-RELATED EXPENSES. (a) A parent may only be reimbursed under the program for the following

1 expenses incurred by a parent:

2 (1) tuition and fees:

3 (A) at a private school accredited by an
4 organization that is recognized by the Texas Private School
5 Accreditation Commission; or

6 (B) for an online educational course or program;

7 (2) the purchase of textbooks or other instructional
8 materials required by a school, course, or program;

9 (3) fees for classes or other educational services
10 provided by a public school;

11 (4) fees for services provided by a private tutor or
12 teaching service;

13 (5) costs of transportation to and from school;

14 (6) for a child with a disability, fees for
15 educational therapies or services provided by a practitioner or
16 provider;

17 (7) costs of computer hardware and software and other
18 technological devices necessary to facilitate a child's education;

19 (8) fees for a nationally norm-referenced achievement
20 test or examination, an assessment instrument adopted by the agency
21 under Section 39.023, an advanced placement test or similar
22 examination, or any other examination or assessment instrument
23 related to college or university admission; and

24 (9) school supplies.

25 (b) An educational services provider or vendor of
26 educational products must provide a parent with a receipt for each
27 expense allowed under Subsection (a) charged by the provider or

1 vendor to the parent.

2 Sec. 33.304. AMOUNT OF REIMBURSEMENT PAYMENT. Each year, a
3 parent is entitled to receive a reimbursement payment from the
4 state in an amount that is equal to the lesser of:

5 (1) the total amount of all eligible education-related
6 expenses described by Section 33.303 incurred by the parent during
7 the most recent federal income tax year; or

8 (2) the deduction amount for state and local sales and
9 use taxes claimed by the parent on the parent's federal income tax
10 return for the most recent federal income tax year.

11 Sec. 33.305. APPLICATION FOR REIMBURSEMENT. A parent must
12 apply for a reimbursement payment not later than December 31 of the
13 year following the federal income tax year during which the parent
14 incurred the eligible education-related expenses. The application
15 must be in the form and manner specified by the comptroller and
16 include any information the comptroller determines to be necessary
17 to administer this subchapter.

18 Sec. 33.306. VERIFICATION OF ELIGIBILITY. On receipt of an
19 application under Section 33.305, the comptroller shall verify that
20 the applicant is eligible for the reimbursement payment based on:

21 (1) information provided by the applicant; and

22 (2) if necessary, other information available to the
23 comptroller, including information provided by the Internal
24 Revenue Service.

25 Sec. 33.307. PAYMENT OF REIMBURSEMENT. The comptroller
26 shall make a reimbursement payment under this subchapter by any
27 means the comptroller determines appropriate, including by

1 electronic funds transfer.

2 Sec. 33.308. RULES. The comptroller shall adopt rules
3 necessary to implement this subchapter, including rules for
4 implementing this subchapter in a manner that ensures compliance
5 with federal law regarding confidentiality of student educational
6 information, including the Family Educational Rights and Privacy
7 Act of 1974 (20 U.S.C. Section 1232g).

8 SECTION 2. As soon as practicable after the effective date
9 of this Act, the comptroller of public accounts shall adopt the
10 rules required by Section 33.308, Education Code, as added by this
11 Act.

12 SECTION 3. This Act takes effect September 1, 2023.