

AN ACT

relating to requiring prior approval by the Texas Higher Education Coordinating Board to offer a degree or certificate program to certain persons who are incarcerated or subject to involuntary civil commitment.

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

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

1 offered for the 2023-2024 academic year.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 526 passed the Senate on
April 18, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 526 passed the House on
May 19, 2023, by the following vote: Yeas 140, Nays 3, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor