

By: West

S.B. No. 526

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to requiring prior approval by the Texas Higher Education  
3 Coordinating Board to offer a degree or certificate program to  
4 certain persons who are incarcerated or subject to involuntary  
5 civil commitment.

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

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

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

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

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

24 SECTION 3. This Act takes effect immediately if it receives

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