

BILL ANALYSIS

C.S.H.B. 5646
By: Wilson
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that not all students at public institutions of higher education who are enrolled in and members in good standing of a Reserve Officers' Training Corps program or other military-related program are given in-state tuition rates. C.S.H.B. 5646 seeks to address this issue by providing for such students to pay tuition and fees at the rates provided for Texas residents.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 5646 amends the Education Code to entitle a person enrolled at a public institution of higher education to pay tuition and fees at the rates provided for Texas residents if the person meets any of the following criteria:

- is enrolled and a member in good standing in a Reserve Officers' Training Corps program;
- is enrolled in a corps of cadets, including a corps of cadets at a senior military college; or
- is enrolled in a corps of midshipmen.

The bill establishes that a person who is entitled to pay resident tuition and fees only as permitted by these provisions is not considered a Texas resident for purposes of a financial aid program offered by the state.

C.S.H.B. 5646 applies beginning with tuition and other fees charged for the 2026 spring semester. Tuition and other fees charged for an academic period before that semester are covered by the law in effect immediately before the bill's effective date, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5646 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced required a public institution of higher education in Texas to grant in-state tuition rates to any student who is enrolled in and a member in good standing of a Reserve Officers' Training Corps (ROTC) program, or members of the corps of cadets at a senior military college, the substitute entitles a person enrolled at such an institution to pay tuition and fees at the rates provided for Texas residents if the person is, as follows:

- enrolled and in good standing in a ROTC program;
- enrolled in a corps of cadets, including a corps of cadets at a senior military college; or
- enrolled in a corps of midshipmen.

The substitute includes a provision absent from the introduced that clarifies that a person entitled to resident tuition and fees for their enrollment in applicable military-related programs is not considered a Texas resident for purposes of a financial aid program offered by the state.

Whereas the introduced established that its provisions apply beginning with the registration for a course or program for the 2026 spring semester, the substitute instead establishes that its provisions apply beginning with tuition and other fees charged for the 2026 spring semester. The substitute includes a provision relating to the continuation of former law, whereas the introduced did not.