

BILL ANALYSIS

S.B. 1400
By: Kolkhorst
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that, in the modern landscape of higher education, it is not uncommon for a student to begin at a general academic institution (GAI) before taking classes at a public junior college but that there has been uncertainty as to whether such a student counts towards the transfer outcome under performance tier funding for the junior college. Following the passage of H.B. 8 in the 88th Regular Session, performance tier funding has rewarded junior colleges across the state for a student who enrolls in a GAI after earning 15 semester credit hours from a single public junior college district. The bill sponsor has further informed the committee that since the passage of that bill, the Texas Higher Education Coordinating Board has created a new rule establishing that the student must be enrolled at the GAI for the first time in the fiscal year for which the public junior college is eligible for a performance tier allocation and that despite the fiscal year qualification, this rule has created confusion for public junior colleges as to when a student is eligible to be counted as a transfer. S.B. 1400 seeks to address this issue by clarifying that a student may have up to 30 semester credit hours from a GAI and still count toward the transfer outcome when transferring from a public junior college to a GAI.

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

S.B. 1400 amends the Education Code to require the Texas Higher Education Coordinating Board (THECB), in consultation with the standing advisory committee established to provide advice and counsel to the THECB with respect to the funding of public junior colleges, to conduct a study to assess the feasibility and the fiscal and policy implications, including the fiscal impact to the state, of revising the requirements for subsequent transfer to a general academic teaching institution for purposes of performance tier funding under applicable state law to include students who were previously enrolled at a general academic teaching institution. The bill requires the THECB, in conducting the study, to assess the following:

- the fiscal impact of revising the requirements for subsequent transfer to a general academic teaching institution for purposes of performance tier funding under applicable state law to include students who were previously enrolled at a general academic teaching institution;
- the types of postsecondary educational experience and attainment that students have before enrolling in a public junior college, including:

- the frequency of each type;
- the kinds of services and how much of those services students with each type require from the college; and
- the associated measures of academic or workforce success; and
- any other factors or issues the THECB or the standing advisory committee established under statutory provisions relating to supervision by the THECB determines relevant.

The bill requires the THECB, not later than December 1, 2026, in consultation with the standing advisory committee, to submit to the legislature a report on the results of the study and any recommendations for legislative or other action. The bill's provisions expire September 1, 2027.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.