

BILL ANALYSIS

C.S.H.B. 730
By: Hernandez
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that, although tuition costs may be a decisive barrier to higher education opportunities for prospective students who are homeless, Texas does not currently provide a tuition exemption for such students. C.S.H.B. 730 seeks to address this concern by creating such an exemption, including a means-tested process to establish eligibility.

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 rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 730 amends the Education Code to authorize a public institution of higher education to exempt an individual who is homeless, as defined by the bill, from the payment of tuition and fees charged by the institution, including tuition and fees charged by such an institution for a dual credit course or other course for which a high school student may earn joint high school and college credit, if the individual meets the following conditions:

- submits to the institution not later than June 30th of each year, as prescribed by Texas Higher Education Coordinating Board rule, a notarized affidavit from a person belonging to one of certain qualifying categories confirming the individual's status as an individual who is homeless and demonstrating financial need as determined by coordinating board rule; and
- enrolls not later than the individual's 25th birthday in the institution as an undergraduate student or in a dual credit course or other course for which a high school student may earn joint high school and college credit.

C.S.H.B. 730 prohibits a person from charging a fee for providing or notarizing the affidavit required by the bill and prohibits the use of the affidavit for an exemption under the bill's provisions if the affidavit was signed more than 60 days before the date of its submission to an institution of higher education. The bill makes an individual ineligible for such an exemption if the individual has previously received such an exemption for 10 semesters or summer sessions at any institution or institutions of higher education, has received a baccalaureate degree, or is required to register as a sex offender. The bill requires the coordinating board to adopt rules to implement the bill's provisions. The bill's provisions apply beginning with tuition and fees charged for the 2020 spring semester.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 730 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the exemption provided by the bill from an exemption automatically held by an individual who is homeless to an exemption that a public institution of higher education is authorized to provide.

The substitute makes the following changes with regard to the notarized affidavit:

- provides an annual deadline for the submission of the affidavit;
- revises the qualifying categories of persons who may make the affidavit; and
- includes the required demonstration of financial need as a component of the affidavit, which in the introduced version was a separate condition of the exemption.

The substitute replaces references to "a homeless individual" with references to "an individual who is homeless."