

SUBJECT: Shorter residency period for in-state tuition and fees for military dependents

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 7 ayes — Rangel, F. Brown, Farabee, J. Jones, Morrison, Uher, West
0 nays
2 absent — Goolsby, E. Reyna

WITNESSES: For — None
Against — None
On — Stephen M. Bahr, II; Dr. Mary M. Keller, The Military Child Education Coalition

BACKGROUND: Under current law, a spouse or dependent child of a member of the United States military who is not currently assigned to duty in Texas but previously has resided in Texas for 12 months is entitled to pay tuition, fees, and charges at the same rate provided for residents at Texas colleges and universities. The member also must meet certain other requirements for the spouse or dependent child to qualify.

DIGEST: HB 1941 would change the residency requirement for military spouses and dependent children from 12 months to six months to pay resident tuition, fees, and charges at Texas colleges and universities.

Changes made by this bill would apply beginning with the fall 2001 semester. Tuition for a semester or session before then would be governed by the applicable law in effect before the effective date, and that law would be continued in effect for that purpose.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

SUPPORTERS
SAY:

HB 1941 would reflect the realities of military life in setting the residency period for paying in-state tuition and fees at state colleges and universities. The average military child moves every 2.9 years, attends seven different schools from kindergarten to grade 12, and changes high school two or three times. The armed forces mission, not the parent, determines whether and when a child will move. School districts that serve military students have higher mobility rates than other school districts, averaging about 30 percent mobility per year.

Many military dependent children are affected negatively by residency requirements. There are over 100,000 military dependent children, birth to age 19, in Texas. Over 66,000 of these students are school age, and 18,000 of those are high school students. Most military dependent children are educated in Texas public schools. It is common for military families to move just before a student graduates from high school. A military family stationed in Texas might be transferred to an installation overseas, where their “state of record” is Texas, but Texas would not consider the school-age children to be Texas residents for tuition purposes under current law.

Texas should adopt military-friendly laws and policies to assist military personnel, protect the Texas economy, and maintain military installations in Texas. Texas has the third largest military population in the United States. There are over 100,000 active duty military personnel in Texas on 13 Army, Navy, and Air Force installations, which account for 10.6 percent of total active military personnel. According to the comptroller, these installations bring approximately \$38.7 billion into the Texas economy, including 7.3 percent of all military contracts. Fort Hood alone brings an estimated \$6 billion into the economy of central Texas. Military bases also employ civilian personnel. Lawmakers in Washington, D.C. are currently discussing closure of military bases. Other states, including California and Georgia, have already adopted, or are considering adopting, military-friendly higher education policies. States with military-friendly laws and policies are less likely to see their military bases closed.

Changing the military dependent residency requirement to six months would be a simple way to alleviate partially one problem military dependents face when seeking higher education. According to the fiscal note, the change made by the bill cost the state nothing.

Texas laws regarding military personnel dependents should be uniform. Other state policies use six months to determine residency for other purposes. There is no reason why residency for tuition purposes should be determined in a different manner. Military students may find themselves in the unique situation of not qualifying for resident tuition in any state. Good students sometimes leave Texas because they cannot qualify for resident tuition.

OPPONENTS
SAY:

No apparent opposition.