

BILL ANALYSIS

Senate Research Center

H.B. 2061
By: Van de Putte (Patterson)
Education
5-15-97
Engrossed

DIGEST

Currently, Texas law requires every male between the ages of 18 and 26 years of age residing in the United States, other than those granted non-immigration status, to register with the selective service system. There are specific penalties under the law for failure to register including fine and imprisonment. An additional penalty, added by the Higher Education Act of 1965, 20 U.S.C. 1070, et seq., causes the young man to be ineligible for assistance and certain benefits. H.B. 2061 would require proof of registration with the selective service to qualify for enrollment in an institution of higher education or to receive state financial assistance.

PURPOSE

As proposed, H.B. 2061 outlines provisions requiring certain individuals to file a statement of selective service status before receiving certain financial assistance.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Higher Education Coordinating Board under SECTION 1 (Section 51.905(e), Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51Z, Education Code, by adding Section 51.9095, as follows:

Sec. 51.9095. STUDENT COMPLIANCE WITH SELECTIVE SERVICE REGISTRATION. Prohibits an individual from receiving a loan, grant, scholarship, or other financial assistance funded by state revenue, including federal funds or gifts and grants accepted by this state, or receiving a student loan guaranteed by this state or the Texas Guaranteed Student Loan Corporation, unless the individual files a statement of the individual's selective service status with the institution or other entity granting or guaranteeing the financial assistance as required by this section. Provides that if an individual required by this section to file a statement of the individual's selective service status files a statement indicating that the individual is registered with the selective service system as required by federal law, the individual is not required to file a statement of the individual's selective service status the next time the individual makes an application to the same entity for financial assistance or a student loan guarantee.

(b) Provides that if an individual required by this section to file a statement of the individual's selective service status files a statement indicating that the individual is not required to register with the selective service system, the institution or other entity shall require the individual to file a new statement of the individual's selective service status the next time the individual makes an application to the entity for financial assistance or a student loan guarantee.

(c) Sets forth individuals to which this section does not apply.

(d) Requires the statement of an individual's selective service status required by this section to require the individual to certify that the individual has registered with the selective service system as required by federal law or is exempt from selective service registration under

federal law.

(e) Requires the Texas Higher Education Coordinating Board (board) to adopt rules for the administration of this section and to prescribe the statement to be used under this section. Requires the board to notify each institution of higher education of the required statement and the applicable rules. Requires the statement to require an individual claiming to be exempt from registration to specify the basis of the exemption. Authorizes the board to require an individual filing a statement of selective service status to include with the statement any additional information or documentation the board determines appropriate.

SECTION 2. (a) Requires the board to prescribe the statement of selective service status and adopt rules as required by Section 51.9095, Education Code, as added by this Act, not later than January 1, 1998.

(b) Provides that the requirement that an individual file a statement of selective service status in accordance with Section 51.9095, Education Code, as added by this Act, takes effect January 1, 1998.

SECTION 3. Emergency clause.

Effective date: 90 days after adjournment.