

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1170
By: Miller (Shapleigh)
S/C on Higher Education
5/10/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Texas National Guard, Texas State Guard, and military reservists are routinely called to active duty to support contingency operations in combat zones. Over 21,600 members of the Texas National Guard, Texas State Guard, and military reserves have been called to active duty. Of those called to active military duty, over 5,200 members are currently deployed to Iraq or Afghanistan.

These service members may be called to active duty in a combat theater of operations outside of the United States in support of a worldwide contingency operation for up to 18 months. In order to fulfill their military commitment and service to the country, the service members have to withdraw from institutions of higher learning. C.S.H.B. 1170 requires the readmission of students who withdraw from an institution of higher education to perform active military service without a reapplication or payment of a fee for admission.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to institutions of higher education in SECTION 1 (Section 51.9242, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9242, as follows:

Sec. 51.9242. READMISSION OF STUDENT WHO WITHDRAWS TO PERFORM ACTIVE MILITARY SERVICE. (a) Provides that this section only applies to a student who withdraws from an institution of higher education to perform active military service as a member of the United States armed forces or the Texas National Guard, except that this section does not apply to a student who withdraws from an institution solely to perform one or more training exercises as a member of the Texas National Guard.

(b) Requires the institution of higher education from which the student withdrew, for any academic term that begins after the date a student described by Subsection (a) is released from active military service but not later than the first anniversary of that date, to readmit the student, without requiring reapplication or charging a fee for readmission, if the student is otherwise eligible to register for classes at the institution. Requires the institution, on readmission of the student under this subsection, to take certain actions.

(c) Authorizes the institution of higher education to adopt rules requiring reasonable proof from a student of the fact and duration of the student's active military service.

(b) Makes application of this Act prospective to the first semester or other academic term beginning after the effective date of this Act.

SECTION 2. Effective date: upon passage or September 1, 2005.