

## **BILL ANALYSIS**

Senate Research Center

H.B. 2013  
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Higher Education  
5/21/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 2013 amends current law relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 54.208, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 54.208, Education Code, as follows:

Sec. 54.208. New heading: FIREFIGHTERS ENROLLED IN FIRE SCIENCE COURSES. (a) Creates this subsection from existing text. Requires the governing board of an institution of higher education, rather than the governing boards of the state institutions of collegiate rank supported in whole or in part by public funds, to exempt from the payment of tuition and laboratory fees any student enrolled in one or more courses offered as part of a fire science curriculum who:

(1) is employed as a firefighter by a political subdivision of this state; or

(2) is an active member of an organized volunteer fire department in this state, as defined by the fire fighters' pension commissioner, who holds an Accredited Advanced level of certification, or an equivalent successor certification, under the State Firemen's and Fire Marshals' Association of Texas volunteer certification program, or Phase V (Firefighter II) certification, or an equivalent successor certification, under the Texas Commission on Fire Protection's voluntary certification program under Section 419.071 (Commission Member Training), Government Code. Makes nonsubstantive changes. Deletes existing text related to exempting a fireman employed by a political subdivision from payment of tuition and laboratory fees that enrolls in a course or courses offered as part of a fire science curriculum.

(b) Creates this subsection from existing text. Makes conforming and nonsubstantive changes.

(c) Authorizes a student who for a semester or term at an institution of higher education receives an exemption under this section to continue to receive the exemption for a subsequent semester or term at any institution only if the student makes satisfactory academic progress toward a degree or certificate at that institution as determined by the institution for purposes of financial aid, notwithstanding Subsection (a).

(d) Provides that the exemption provided under this section does not apply to any amount of additional tuition the institution elects to charge a resident undergraduate student under Section 54.014(a) (relating to charging a resident student a nonresident tuition rate at a state institution if that person exceeds a certain amount of semester credit hours and authorizing a state institution of

higher education to exempt a student that has a hardship from that charge) or (f) (relating to charging a resident student a nonresident tuition rate at a state institution if that person takes a similar course and requires the Texas Higher Education Coordinating Board to adopt rules of exempting a person from that charge if they have a hardship), notwithstanding Subsection (a).

(e) Provides that the exemption provided under this section does not apply to any amount of tuition the institution charges a graduate student in excess of the amount of tuition charged to similarly situated graduate students because the student has a number of semester credit hours of doctoral work in excess of the applicable number provided by Section 61.059(1)(1) (relating to the funding policies of the Texas Higher Education Coordinating Board, including the policy of allocating resources efficiently and provide incentives for programs of superior quality and for institutional diversity) or (2) (relating to the funding policies of the Texas Higher Education Coordinating Board, including providing incentives for supporting the five-year master plan developed and revised under Section 61.051 (Coordination of Institutions of Public Higher Education)), notwithstanding Subsection (a).

(f) Requires the Texas Higher Education Coordinating Board to adopt rules governing the granting or denial of an exemption under this section, including rules relating to the determination of a student's eligibility for an exemption and a uniform listing of degree programs covered by the exemption under this section.

SECTION 2. Authorizes a student who received an exemption under Section 54.208, Education Code, before the 2009 fall semester to continue to receive the exemption under the provisions of that section as it existed immediately before the effective date of this Act as long as the student remains enrolled in the same degree or certificate program and is otherwise eligible to continue to receive the exemption under that former law.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.