

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3452
By: Gattis et al. (Ogden)
Veteran Affairs & Military Installations
5/21/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 3452 relates to the establishment of the Texas Armed Services Scholarship Program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Sections 61.9773 and 61.9774, Education Code) and SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter FF, as follows:

SUBCHAPTER FF. TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

Sec. 61.9771. SCHOLARSHIP PROGRAM; SCHOLARSHIP AMOUNT. Requires the Texas Higher Education Coordinating Board (THECB) to establish and administer, in accordance with this subchapter and THECB rules, the Texas Armed Services Scholarship Program under which THECB provides an annual conditional scholarship of \$5,000 to a student who meets the eligibility criteria prescribed by Section 61.9772 and is appointed to receive a scholarship.

Sec. 61.9772. ELIGIBILITY; NOMINATION AND SELECTION. (a) Requires that a student, to receive an initial scholarship under this subchapter:

- (1) be enrolled as a freshman in a public or private institution of higher education in this state;
- (2) enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program while enrolled in a public or private institution of higher education in this state;
- (3) be appointed to receive a scholarship by the governor, the lieutenant governor, a state senator, or a state representative; and
- (4) enter into an agreement with THECB under Section 61.9773.

(b) Authorizes the governor and lieutenant governor, in each year, to appoint two students and each state senator and each state representative to appoint one student to receive an initial scholarship under this subchapter.

(c) Requires a student, for the student to continue to receive a scholarship awarded under this subchapter, to maintain satisfactory academic progress as determined by the institution in which the student is enrolled.

Sec. 61.9773. AGREEMENT REQUIREMENTS. (a) Requires a student, to receive a scholarship under this subchapter, to enter into an agreement with THECB as provided by this section. Requires that the agreement require the student to:

- (1) complete four years of ROTC training;

(2) graduate not later than five years after the date the student first enrolls in a public or private institution of higher education in this state;

(3) after graduation, enter into:

(A) a four-year commitment to be a member of the Texas State Guard or the Texas Army or Air Force National Guard; or

(B) a contract to serve as a commissioned officer in any branch of the armed services of the United States;

(4) meet the physical examination requirements and all other prescreening requirements of the Texas State Guard, the Texas Army or Air Force National Guard, or the branch of the armed services with which the student enters into a contract; and

(5) agree to repay the scholarship if the student:

(A) fails to maintain satisfactory academic progress;

(B) withdraws from the scholarship program; or

(C) fails to fulfill a commitment or contract described by Subdivision (3).

(b) Requires THECB to adopt rules to exempt a student from the repayment of a scholarship under an agreement entered into under this section if the student is unable to meet the obligations of the agreement solely as a result of physical inability.

Sec. 61.9774. RULES. (a) Requires THECB to adopt rules as necessary for the administration of this subchapter, including rules regarding the eligibility criteria and the selection of scholarship recipients.

(b) Requires THECB by rule to provide that any amount paid to a student by a branch of the armed services of the United States during an academic year for which the student receives a scholarship under this subchapter because the student is under a contract with that branch is required to be deducted from the amount of the scholarship awarded to the student for that academic year.

Sec. 61.9775. LIMITATION ON SCHOLARSHIP. Prohibits a person from receiving a scholarship under this subchapter after earning a cumulative total of 150 credit hours or after being awarded a baccalaureate degree, whichever occurs first.

Sec. 61.9776. FUNDING. Requires THECB to administer this subchapter using available appropriations and gifts, grants, and donations made for the purposes of this subchapter.

SECTION 2. Requires THECB to award scholarships under Subchapter FF, Chapter 61, Education Code, as added by this Act, beginning with the 2010-2011 academic year. Requires THECB to adopt the rules required by that subchapter as soon as practicable after this Act takes effect.

SECTION 3. Provides that this Act does not make an appropriation. Provides that a provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

SECTION 4. Effective date: September 1, 2009.