

BILL ANALYSIS

Senate Research Center
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H.B. 1163
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Higher Education
5/4/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recent legislation extended the tuition exemption program for firefighters enrolled in fire science curricula to volunteer firefighters who hold certain certifications or their equivalents. Additional legislation extended the tuition and laboratory fee exemption program for firefighters enrolled in fire science curricula to peace officers employed by political subdivisions of the state who enroll in courses offered as part of a criminal justice or law enforcement management-related curriculum designed for peace officers.

According to interested parties, there are concerns that the two pieces of legislation are in conflict, having changed the same section of the Education Code.

H.B. 1163 amends current law relating to tuition and fee exemptions at public institutions of higher education for certain peace officers and firefighters.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 2 (Section 54.2081, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 54.208, Education Code, as amended by Chapters 1285 (H.B. 2013) and 1299 (H.B. 2347), Acts of the 81st Legislature, Regular Session, 2009, and makes no further changes.

SECTION 2. Amends Subchapter D, Chapter 54, Education Code, by adding Section 54.2081, as follows:

Sec. 54.2081. PEACE OFFICERS ENROLLED IN CERTAIN COURSES. (a) Requires the governing board of an institution of higher education to exempt from the payment of tuition and laboratory fees charged by the institution for a criminal justice or law enforcement course or courses an undergraduate student who:

- (1) is employed as a peace officer by this state or by a political subdivision of this state;
- (2) is enrolled in a criminal justice or law enforcement-related degree program at the institution;
- (3) is making satisfactory academic progress toward the student's degree as determined by the institution; and
- (4) applies for the exemption at least one week before the last date of the institution's regular registration period for the applicable semester or other term.

(b) Prohibits a student, notwithstanding Subsection (a), from receiving an exemption under this section for any course if the student has previously

attempted a number of semester credit hours for courses taken at any institution of higher education while classified as a resident student for tuition purposes in excess of the maximum number of those hours specified by Section 61.0595(a) (relating to prohibiting the Texas Higher Education Coordinating Board from including funding for semester credit hours earned by certain resident undergraduate students for completion of the degree program or programs in which the student is enrolled) as eligible for funding under the formulas established under Section 61.059 (Appropriations).

(c) Prohibits the governing board of an institution of higher education, notwithstanding Subsection (a), from providing exemptions under this section to students enrolled in a specific class in a number that exceeds 20 percent of the maximum student enrollment designated by the institution for that class.

(d) Provides that an exemption provided under this section does not apply to deposits that may be required in the nature of security for the return or proper care of property loaned for the use of students.

(e) Requires the Texas Higher Education Coordinating Board to adopt:

(1) 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

(2) a uniform listing of degree programs covered by the exemption under this section.

(f) Requires the governing board of the institution of higher education, if the legislature does not specifically appropriate funds to an institution of higher education in an amount sufficient to pay the institution's costs in complying with this section for a semester, to report to the Senate Finance Committee and the House Appropriations Committee the cost to the institution of complying with this section for that semester.

SECTION 3. Provides that the changes in law made by this Act apply to an exemption from tuition and fees beginning with the 2011 fall semester.

SECTION 4. Effective date: upon passage or September 1, 2011.