

By: Kolkhorst

H.B. No. 2103

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program to award scholarships to certain correctional officers enrolled at Sam Houston State University.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.220 to read as follows:

Sec. 54.220. CORRECTIONAL OFFICER SCHOLARSHIPS. (a) In this section:

(1) "Correctional officer" means a correctional officer employed in a confinement facility operated by the Texas Department of Criminal Justice.

(2) "Trust fund" means the correctional officer scholarship trust fund.

(b) In each academic year, the Texas Higher Education Coordinating Board shall establish a pilot program under which the coordinating board awards scholarships, in a number to be determined by the coordinating board after reviewing the total amount of money available to the trust fund, to eligible persons attending Sam Houston State University. A scholarship recipient may use a scholarship to pay the tuition and fees required to attend the university. The amount of a scholarship shall be determined by the coordinating board, not to exceed the amount of tuition and required fees paid by the scholarship recipient to enroll in nine semester credit hours at the university during each semester or

1 summer session for which the scholarship is awarded.

2 (c) If the number of eligible applicants exceeds the number
3 of scholarships available in an academic year, the coordinating
4 board shall give priority to applicants with the greatest financial
5 need.

6 (d) To be eligible for a scholarship under this section, a
7 person must:

8 (1) be classified as a Texas resident under Subchapter
9 B;

10 (2) be enrolled in a baccalaureate degree program at
11 Sam Houston State University;

12 (3) establish financial need as determined by
13 coordinating board rule;

14 (4) maintain good academic standing as determined by
15 coordinating board rule;

16 (5) have received an associate degree or certificate
17 from or have completed not less than 60 semester credit hours at an
18 institution of higher education in any state;

19 (6) be employed as a correctional officer during the
20 academic year for which the person receives the scholarship;

21 (7) agree to fulfill the correctional officer service
22 obligation of Subsection (e); and

23 (8) comply with any other requirements adopted by the
24 coordinating board under this section.

25 (e) For each increment of 36 semester credit hours for which
26 a person receives financial assistance under this section, the
27 person must agree to work full-time as a correctional officer for

1 one year after the person receives a baccalaureate degree from Sam
2 Houston State University.

3 (f) A scholarship recipient must fulfill the correctional
4 officer service obligation of Subsection (e) not later than the end
5 of a period equal to one year for each academic year for which the
6 person receives a scholarship under this section, beginning on the
7 60th day after the date on which the recipient is awarded a
8 baccalaureate degree by Sam Houston State University, unless the
9 coordinating board for good cause provides the recipient with
10 additional time to fulfill that obligation.

11 (g) A scholarship under this section is conditioned on the
12 recipient's maintenance of all qualifications provided by this
13 section and performance of the correctional officer service
14 obligation of Subsection (e). The scholarship is considered a loan
15 until the conditions of the scholarship are met.

16 (h) The coordinating board shall require a person who
17 receives a scholarship under this section to sign a promissory note
18 acknowledging the conditional nature of the scholarship and
19 promising to repay the amount of the scholarship plus applicable
20 interest and reasonable collection costs if the person does not
21 satisfy the conditions of the scholarship. The coordinating board
22 shall determine the terms of the promissory note. To the extent
23 practicable, the terms must be the same as those applicable to state
24 or federally guaranteed student loans made at the same time. All
25 amounts collected in repayment of a scholarship, including interest
26 but excluding collection costs paid by the coordinating board to
27 another person to collect or assist in collecting the amount, shall

1 be deposited to the credit of the trust fund.

2 (i) The coordinating board shall determine the amount
3 required to be repaid by a scholarship recipient who does not
4 complete the correctional officer service obligation of Subsection
5 (e) in proportion to the part of the obligation that the recipient
6 has not completed.

7 (j) A person who receives a scholarship under this section
8 is considered to have failed to satisfy the conditions of the
9 scholarship, and the scholarship automatically becomes a loan, if
10 the person fails to remain enrolled at Sam Houston State University
11 or to make satisfactory progress toward a baccalaureate degree at
12 the university without good cause as determined by the coordinating
13 board. The coordinating board shall adopt rules permitting a
14 scholarship recipient who transfers to another institution of
15 higher education to complete the correctional officer service
16 obligation in lieu of repayment of the loan after receiving a
17 baccalaureate degree from another institution of higher education
18 if the person remains continuously enrolled in an institution of
19 higher education until the person receives a baccalaureate degree.

20 (k) The coordinating board shall adopt rules as necessary
21 for the administration of this section, including rules relating to
22 the establishment of scholarships, the criteria for awarding a
23 scholarship, and the determination of eligibility. The
24 coordinating board shall distribute a copy of the rules adopted
25 under this subsection to Sam Houston State University and the Texas
26 Department of Criminal Justice. The department shall make
27 reasonable efforts to notify all correctional officers of the pilot

1 program.

2 (1) The coordinating board shall award scholarships under
3 this section from the amount available in the trust fund. The trust
4 fund is established outside the treasury but is held in trust by the
5 comptroller. Money in the trust fund may be spent without
6 appropriation and only to fund the pilot program. Interest and
7 income from the assets of the trust fund shall be credited to and
8 deposited in the trust fund. In each state fiscal year the
9 coordinating board may spend from the trust fund to cover the costs
10 of administering this section an amount not to exceed 2.5 percent of
11 the total amount of money deposited into the trust fund in that
12 fiscal year.

13 (m) The coordinating board may solicit and accept gifts and
14 grants from any public or private source for the purposes of this
15 section and shall deposit a gift or grant to the credit of the trust
16 fund.

17 (n) The legislature may appropriate money to the trust fund.

18 (o) The coordinating board shall evaluate the effectiveness
19 of the pilot program established under this section and report the
20 results of the evaluation to the legislature not later than
21 December 31 of each even-numbered year.

22 (p) The coordinating board may not award a scholarship under
23 this section after the 2013-2014 academic year. On January 1, 2015,
24 the trust fund is abolished and any amount remaining in the trust
25 fund shall be transferred to the general revenue fund.

26 SECTION 2. (a) The Texas Higher Education Coordinating
27 Board shall adopt rules for awarding scholarships under Section

1 54.220, Education Code, as added by this Act, not later than
2 December 1, 2007.

3 (b) The coordinating board shall award scholarships under
4 Section 54.220, Education Code, as added by this Act, beginning
5 with the 2008-2009 academic year.

6 SECTION 3. This Act takes effect September 1, 2007.