

By: Kolkhorst

H.B. No. 2103

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

14 (b) In each academic year, the Texas Higher Education  
15 Coordinating Board shall establish a pilot program under which the  
16 coordinating board awards scholarships, in a number to be  
17 determined by the coordinating board after reviewing the total  
18 amount of money available to the trust fund, to eligible persons  
19 attending Sam Houston State University. A scholarship recipient  
20 may use a scholarship to pay the tuition and fees required to attend  
21 the university. The amount of a scholarship shall be determined by  
22 the coordinating board, not to exceed the amount of tuition and  
23 required fees paid by the scholarship recipient to enroll in nine  
24 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

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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.