

By: Kolkhorst, Sheffield,  
Gonzalez Toureilles, Hodge

H.B. No. 518

A BILL TO BE ENTITLED

1 AN ACT

2 relating to programs to provide student loan repayment assistance  
3 for certain correctional officers and for certain speech-language  
4 pathologists and audiologists.

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

6 SECTION 1. Chapter 61, Education Code, is amended by adding  
7 Subchapter FF to read as follows:

8 SUBCHAPTER FF. CORRECTIONAL OFFICER LOAN REPAYMENT

9 ASSISTANCE PILOT PROGRAM

10 Sec. 61.9781. DEFINITIONS. In this subchapter:

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

14 (2) "Trust fund" means the correctional officer loan  
15 repayment assistance trust fund.

16 Sec. 61.9782. REPAYMENT AUTHORIZED. The board shall  
17 establish a pilot program to provide, using money in the trust fund  
18 and in accordance with this subchapter and rules of the board,  
19 assistance in the repayment of student loans for correctional  
20 officers who apply and qualify for the assistance.

21 Sec. 61.9783. ELIGIBILITY. To be eligible to receive  
22 repayment assistance, a correctional officer must:

23 (1) have received a baccalaureate degree from Sam  
24 Houston State University or from another general academic teaching

1 institution that is selected to participate in the program by the  
2 board under Section 61.9789(b) if the board expands the program to  
3 include an additional general academic teaching institution;

4 (2) establish to the board that:

5 (A) the repayment assistance will be used to  
6 repay any part of a student loan received by the correctional  
7 officer to cover the officer's cost of attendance in connection  
8 with enrollment in junior-level or senior-level course work in the  
9 baccalaureate degree program at the institution;

10 (B) during the period of the correctional  
11 officer's enrollment at the institution as described by Paragraph  
12 (A), the officer:

13 (i) was employed full-time as a  
14 correctional officer in this state;

15 (ii) was classified as a resident of this  
16 state under Subchapter B, Chapter 54;

17 (iii) established financial need as  
18 determined by board rule; and

19 (iv) maintained good academic standing at  
20 the institution as determined by board rule; and

21 (C) the correctional officer has not committed an  
22 offense:

23 (i) under Chapter 39, Penal Code;

24 (ii) under Section 38.11 or 38.114, Penal  
25 Code;

26 (iii) under any other provision of the  
27 Penal Code in which the victim was a person in the custody of the

1 Texas Department of Criminal Justice at the time the offense  
2 occurred; or

3 (iv) the elements of which are equivalent  
4 to a criminal offense under the law of another state, federal law,  
5 or the law of a foreign government;

6 (3) complete at least two full years of employment as a  
7 full-time correctional officer in this state not later than the  
8 second anniversary of the date of the person's graduation from the  
9 institution; and

10 (4) comply with any other requirements adopted by  
11 board rule under this subchapter.

12 Sec. 61.9784. ELIGIBLE LOANS. (a) The board may provide  
13 repayment assistance for the repayment of any student loan received  
14 by an eligible correctional officer through any lender for the cost  
15 of attendance for enrollment at Sam Houston State University or at  
16 another general academic teaching institution that is selected by  
17 the board to participate in the program under Section 61.9789(b).

18 (b) The board may withhold repayment assistance for a  
19 student loan that is in default at the time of the correctional  
20 officer's application.

21 (c) Subject to Sections 61.9785 and 61.9788, in each state  
22 fiscal biennium the board shall attempt to allocate all funds  
23 available in the trust fund for the purpose of providing repayment  
24 assistance under this subchapter.

25 Sec. 61.9785. REPAYMENT. (a) The board shall deliver any  
26 repayment under this subchapter in a lump sum:

27 (1) payable to both the lender or other holder of the

1 loan and the correctional officer; or

2 (2) on the correctional officer's behalf directly to  
3 the lender or other holder of the loan.

4 (b) A repayment under this subchapter may be applied to any  
5 amount due in connection with the loan.

6 (c) The board may grant prior conditional approval to a  
7 correctional officer who completes each eligibility requirement  
8 under Section 61.9783 other than the requirement under Section  
9 61.9783(3) and may reserve money in the trust fund for disbursement  
10 under this subchapter on the officer's completion of that  
11 requirement.

12 Sec. 61.9786. RULES. (a) The board shall adopt rules  
13 necessary to administer this subchapter. The board may consult  
14 with the Texas Department of Criminal Justice to assist the board in  
15 establishing priorities among eligible correctional officers for  
16 repayment assistance.

17 (b) The board shall distribute to Sam Houston State  
18 University, any other general academic teaching institution that is  
19 selected by the board to participate in the program under Section  
20 61.9789(b), each public junior college, and appropriate state  
21 agencies and professional associations copies of the rules adopted  
22 under this section and other pertinent information relating to this  
23 subchapter.

24 Sec. 61.9787. AMOUNT OF REPAYMENT ASSISTANCE. (a) The loan  
25 repayment amount for one year of full-time employment as a  
26 correctional officer beginning two years after graduation from Sam  
27 Houston State University or from another general academic teaching

1 institution that is selected by the board to participate in the  
2 program under Section 61.9789(b) may not exceed the cost of  
3 attendance for the officer to enroll in 30 semester credit hours of  
4 junior-level or senior-level course work at the institution, as  
5 applicable.

6 (b) The total amount of repayment assistance distributed by  
7 the board under this subchapter may not exceed the total amount of  
8 gifts and grants accepted by the board for repayment assistance,  
9 legislative appropriations for repayment assistance, and other  
10 funds available to the board for purposes of this subchapter.

11 Sec. 61.9788. TRUST FUND. (a) The board shall award  
12 repayment assistance under this subchapter from the amount  
13 available in the trust fund. The trust fund is established outside  
14 the treasury but is held in trust by the comptroller. Money in the  
15 trust fund may be spent without appropriation and only to fund the  
16 pilot program. Interest and income from the assets of the trust  
17 fund shall be credited to and deposited in the trust fund. In each  
18 state fiscal year the board may spend from the trust fund to cover  
19 the costs of administering this subchapter an amount not to exceed  
20 2.5 percent of the total amount of money deposited into the trust  
21 fund in that fiscal year.

22 (b) The board may solicit and accept gifts and grants from  
23 any public or private source for the purposes of this subchapter and  
24 shall deposit a gift or grant to the credit of the trust fund.

25 (c) The legislature may appropriate money to the trust fund.

26 Sec. 61.9789. EVALUATION OF PILOT PROGRAM. (a) The board  
27 shall evaluate the effectiveness of the pilot program established

1 under this subchapter and report the results of the evaluation to  
2 the legislature not later than December 31 of each even-numbered  
3 year.

4 (b) If the board determines that expansion of the program  
5 would enhance the effectiveness of the program or improve the  
6 board's ability to evaluate the program, the board by rule may  
7 expand the program to include as eligible to receive repayment  
8 assistance under Section 61.9783 a correctional officer who:

9 (1) received a baccalaureate degree from a general  
10 academic teaching institution other than Sam Houston State  
11 University that is located near a confinement facility operated by  
12 the Texas Department of Criminal Justice and that is selected by the  
13 board to participate in the program; and

14 (2) meets all other eligibility requirements  
15 prescribed by or adopted under Section 61.9783.

16 (c) If the board by rule expands the program under  
17 Subsection (b) to include graduates of one or more other general  
18 academic teaching institutions, the board shall include in the  
19 report under Subsection (a) information regarding the  
20 effectiveness of the expansion and the name of each additional  
21 general academic teaching institution selected to participate in  
22 the program.

23 Sec. 61.9790. TERMINATION OF PILOT PROGRAM. The board may  
24 not award repayment assistance under this subchapter to pay the  
25 costs of enrollment in an academic year after the 2015-2016  
26 academic year. On January 1, 2019, the trust fund is abolished and  
27 any amount remaining in the trust fund shall be transferred to the

1 general revenue fund.

2 SECTION 2. Chapter 61, Education Code, is amended by adding  
3 Subchapter GG to read as follows:

4 SUBCHAPTER GG. REPAYMENT OF CERTAIN SPEECH-LANGUAGE PATHOLOGIST  
5 AND AUDIOLOGIST EDUCATION LOANS

6 Sec. 61.9801. DEFINITIONS. In this subchapter:

7 (1) "Audiologist" means a person licensed as an  
8 audiologist under Chapter 401, Occupations Code.

9 (2) "Communicative disorders program" means a  
10 graduate degree program in audiology or speech-language pathology  
11 accredited by the Council on Academic Accreditation in Audiology  
12 and Speech-Language Pathology.

13 (3) "Public school" means a public preschool or  
14 primary or secondary school in this state.

15 (4) "Speech-language pathologist" means a person  
16 licensed as a speech-language pathologist under Chapter 401,  
17 Occupations Code.

18 Sec. 61.9802. REPAYMENT ASSISTANCE AUTHORIZED. The board  
19 shall provide, in accordance with this subchapter and board rules,  
20 assistance in the repayment of student loans for speech-language  
21 pathologists and audiologists who apply and qualify for assistance.

22 Sec. 61.9803. ELIGIBILITY. (a) To be eligible to receive  
23 repayment assistance, a speech-language pathologist or an  
24 audiologist must:

25 (1) apply to the board; and

26 (2) at the time the speech-language pathologist or  
27 audiologist applies for the assistance:

1           (A) have been employed as a speech-language  
2 pathologist or as an audiologist, as applicable, for at least one  
3 year by, and be currently employed full-time in that capacity by, a  
4 public school; or

5           (B) have been employed as a faculty member of a  
6 communicative disorders program at an institution of higher  
7 education for at least one year, and be currently employed  
8 full-time in that capacity at such an institution.

9           (b) The board by rule may provide for repayment assistance  
10 on a pro rata basis for speech-language pathologists and  
11 audiologists employed part-time by a public school or institution  
12 of higher education.

13           Sec. 61.9804. LIMITATION. (a) On qualifying for the  
14 assistance, a speech-language pathologist or an audiologist may  
15 receive repayment assistance grants for each year of employment,  
16 not to exceed five years, by:

17                   (1) a public school; or

18                   (2) a communicative disorders program at an  
19 institution of higher education.

20           (b) The amount of repayment assistance grants that a  
21 speech-language pathologist or an audiologist may receive for each  
22 year of employment by a public school or a communicative disorders  
23 program at an institution of higher education may not exceed 20  
24 percent of the speech-language pathologist's or audiologist's total  
25 principal amount of student loans.

26           (c) The total amount of repayment assistance grants  
27 received by a speech-language pathologist or an audiologist under



1 this subchapter may not exceed \$30,000 for an eligible recipient  
2 who holds a master's degree but not a doctoral degree, or \$45,000  
3 for an eligible recipient who holds a doctoral degree.

4 Sec. 61.9805. ELIGIBLE LOANS. (a) The board may provide  
5 repayment assistance for the repayment of any student loan for  
6 education at an institution of higher education, including loans  
7 for undergraduate education, received by a speech-language  
8 pathologist or an audiologist through any lender.

9 (b) The board may not provide repayment assistance for a  
10 student loan that is in default at the time of the speech-language  
11 pathologist's or audiologist's application.

12 (c) Each state fiscal biennium, the board shall attempt to  
13 provide repayment assistance in amounts sufficient to use all the  
14 money appropriated to the board for that biennium for the purpose of  
15 providing repayment assistance under this subchapter.

16 Sec. 61.9806. REPAYMENT. (a) The board shall deliver any  
17 repayment made under this subchapter in a lump sum payable to the  
18 lender and the speech-language pathologist or audiologist, in  
19 accordance with any applicable federal law.

20 (b) A repayment made under this subchapter may be applied  
21 only to the principal amount of the loan.

22 Sec. 61.9807. ADVISORY COMMITTEES. The board may appoint  
23 advisory committees to assist the board in administering this  
24 subchapter.

25 Sec. 61.9808. ACCEPTANCE OF GIFTS. The board may accept  
26 gifts, grants, and donations for the purposes of this subchapter.

27 Sec. 61.9809. RULES. (a) The board shall adopt rules

1 necessary for the administration of this subchapter.

2 (b) The board shall distribute a copy of the rules adopted  
3 under this section and pertinent information regarding this  
4 subchapter to:

5 (1) each institution of higher education;

6 (2) any appropriate state agency; and

7 (3) any appropriate professional association.

8 SECTION 3. The Texas Higher Education Coordinating Board  
9 shall adopt the rules for repayment assistance under Subchapter FF,  
10 Chapter 61, Education Code, as added by this Act, not later than  
11 December 1, 2009.

12 SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2009.