

1-1 By: Keffer, et al. (Senate Sponsor - Hegar) H.B. No. 2013  
1-2 (In the Senate - Received from the House May 12, 2009;  
1-3 May 13, 2009, read first time and referred to Committee on Higher  
1-4 Education; May 22, 2009, reported favorably by the following vote:  
1-5 Yeas 4, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to tuition and laboratory fee exemptions at public  
1-9 institutions of higher education for certain volunteer  
1-10 firefighters enrolled in fire science courses.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 54.208, Education Code, is amended to  
1-13 read as follows:

1-14 Sec. 54.208. FIREFIGHTERS [FIREMEN] ENROLLED IN FIRE  
1-15 SCIENCE COURSES. (a) The governing board of an institution of  
1-16 higher education [boards of the state institutions of collegiate  
1-17 rank supported in whole or in part by public funds] shall exempt  
1-18 from the payment of tuition and laboratory fees any student  
1-19 enrolled in one or more courses offered as part of a fire science  
1-20 curriculum who:

1-21 (1) [person who] is employed as a firefighter  
1-22 [fireman] by a [any] political subdivision of this [the] state; or

1-23 (2) is an active member of an organized volunteer fire  
1-24 department in this state, as defined by the fire fighters' pension  
1-25 commissioner, who holds:

1-26 (A) an Accredited Advanced level of  
1-27 certification, or an equivalent successor certification, under the  
1-28 State Firemen's and Fire Marshals' Association of Texas volunteer  
1-29 certification program; or

1-30 (B) Phase V (Firefighter II) certification, or an  
1-31 equivalent successor certification, under the Texas Commission on  
1-32 Fire Protection's voluntary certification program under Section  
1-33 419.071, Government Code [and who enrolls in a course or courses  
1-34 offered as part of a fire science curriculum].

1-35 (b) An [The] exemption provided under this section does not  
1-36 apply to deposits that [which] may be required in the nature of  
1-37 security for the return or proper care of property loaned for the  
1-38 use of students.

1-39 (c) Notwithstanding Subsection (a), a student who for a  
1-40 semester or term at an institution of higher education receives an  
1-41 exemption under this section may continue to receive the exemption  
1-42 for a subsequent semester or term at any institution only if the  
1-43 student makes satisfactory academic progress toward a degree or  
1-44 certificate at that institution as determined by the institution  
1-45 for purposes of financial aid.

1-46 (d) Notwithstanding Subsection (a), the exemption provided  
1-47 under this section does not apply to any amount of additional  
1-48 tuition the institution elects to charge a resident undergraduate  
1-49 student under Section 54.014(a) or (f).

1-50 (e) Notwithstanding Subsection (a), the exemption provided  
1-51 under this section does not apply to any amount of tuition the  
1-52 institution charges a graduate student in excess of the amount of  
1-53 tuition charged to similarly situated graduate students because the  
1-54 student has a number of semester credit hours of doctoral work in  
1-55 excess of the applicable number provided by Section 61.059(1)(1) or  
1-56 (2).

1-57 (f) The Texas Higher Education Coordinating Board shall  
1-58 adopt:

1-59 (1) rules governing the granting or denial of an  
1-60 exemption under this section, including rules relating to the  
1-61 determination of a student's eligibility for an exemption; and

1-62 (2) a uniform listing of degree programs covered by  
1-63 the exemption under this section.

1-64 SECTION 2. A student who received an exemption under

2-1 Section 54.208, Education Code, before the 2009 fall semester may  
2-2 continue to receive the exemption under the provisions of that  
2-3 section as it existed immediately before the effective date of this  
2-4 Act as long as the student remains enrolled in the same degree or  
2-5 certificate program and is otherwise eligible to continue to  
2-6 receive the exemption under that former law.

2-7 SECTION 3. The changes in law made by this Act to Section  
2-8 54.208, Education Code, apply beginning with tuition and laboratory  
2-9 fees charged for the 2009 fall semester. Tuition and laboratory  
2-10 fees charged for an academic period before the 2009 fall semester  
2-11 are covered by the law in effect immediately before the effective  
2-12 date of this Act, and the former law is continued in effect for that  
2-13 purpose.

2-14 SECTION 4. This Act takes effect immediately if it receives  
2-15 a vote of two-thirds of all the members elected to each house, as  
2-16 provided by Section 39, Article III, Texas Constitution. If this  
2-17 Act does not receive the vote necessary for immediate effect, this  
2-18 Act takes effect September 1, 2009.

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