

AN ACT

relating to tuition and fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement course work and for certain educational aides.

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

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

Sec. 54.208. FIREFIGHTERS AND PEACE OFFICERS ~~[FIREMEN]~~ ENROLLED IN CERTAIN ~~[FIRE SCIENCE]~~ COURSES. (a) The governing board of an institution of higher education ~~[boards of the state institutions of collegiate rank supported in whole or in part by public funds]~~ shall exempt from the payment of tuition and laboratory fees a student ~~[any person]~~ who is employed as a firefighter ~~[fireman]~~ by a [any] political subdivision of this ~~[the]~~ state and who enrolls in a course or courses offered as part of a fire science curriculum.

(b) The governing board of an institution of higher education shall 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

1 enforcement-related degree program at the institution;

2 (3) is making satisfactory academic progress toward  
3 the student's degree as determined by the institution; and

4 (4) applies for the exemption at least one week before  
5 the last date of the institution's regular registration period for  
6 the applicable semester or other term.

7 (c) Notwithstanding Subsection (b), a student may not  
8 receive an exemption under that subsection for any course if the  
9 student has previously attempted a number of semester credit hours  
10 for courses taken at any institution of higher education while  
11 classified as a resident student for tuition purposes in excess of  
12 the maximum number of those hours specified by Section 61.0595(a)  
13 as eligible for funding under the formulas established under  
14 Section 61.059.

15 (d) Notwithstanding Subsection (b), the governing board of  
16 an institution of higher education may not provide exemptions under  
17 that subsection to students enrolled in a specific class in a number  
18 that exceeds 20 percent of the maximum student enrollment  
19 designated by the institution for that class.

20 (e) An ~~The~~ exemption provided under this section does not  
21 apply to deposits that ~~which~~ may be required in the nature of  
22 security for the return or proper care of property loaned for the  
23 use of students.

24 (f) The Texas Higher Education Coordinating Board shall  
25 adopt:

26 (1) rules governing the granting or denial of an  
27 exemption under this section, including rules relating to the

1 determination of a student's eligibility for an exemption; and

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

4 (g) If the legislature does not specifically appropriate  
5 funds to an institution of higher education in an amount sufficient  
6 to pay the institution's costs in complying with this section for a  
7 semester, the governing board of the institution of higher  
8 education shall report to the Senate Finance Committee and the  
9 House Appropriations Committee the cost to the institution of  
10 complying with this section for that semester.

11 SECTION 2. Section 54.214(d), Education Code, is amended to  
12 read as follows:

13 (d) The institution of higher education at which a person  
14 seeking an exemption under this section is enrolled [~~coordinating~~  
15 ~~board~~] must certify the [~~a~~] person's eligibility to receive the  
16 [~~an~~] exemption [~~under this section~~]. As soon as practicable after  
17 receiving an application for certification, the institution  
18 [~~coordinating board~~] shall make the determination of eligibility  
19 and give notice of its determination to the applicant[~~, the~~  
20 ~~institution of higher education at which the applicant is~~  
21 ~~enrolled,~~] and to the school district employing the applicant  
22 [~~person~~] as an educational aide.

23 SECTION 3. The changes in law made by this Act to Section  
24 54.208, Education Code, apply beginning with tuition and laboratory  
25 fees charged for the 2011 fall semester. Tuition and laboratory  
26 fees charged for an academic period before the 2011 fall semester  
27 are covered by the law in effect immediately before the effective

1 date of this Act, and the former law is continued in effect for that  
2 purpose.

3 SECTION 4. The change in law made by this Act to Section  
4 54.214, Education Code, applies to an exemption from tuition and  
5 fees granted under that section beginning with the 2009 fall  
6 semester.

7 SECTION 5. (a) Except as provided by Subsection (b) of  
8 this section, this Act takes effect immediately if this Act  
9 receives a vote of two-thirds of all the members elected to each  
10 house, as provided by Section 39, Article III, Texas Constitution.  
11 If this Act does not receive the vote necessary for immediate  
12 effect, except as provided by Subsection (b) of this section, this  
13 Act takes effect September 1, 2009.

14 (b) Sections 1 and 3 of this Act take effect January 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2347 was passed by the House on April 29, 2009, by the following vote: Yeas 98, Nays 43, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2347 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2347 on May 31, 2009, by the following vote: Yeas 135, Nays 4, 1 present, not voting.

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Chief Clerk of the House

H.B. No. 2347

I certify that H.B. No. 2347 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2347 on May 31, 2009, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor