

House Bill 2013
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 54.208. FIREFIGHTERS ~~[FIREMEN]~~ ENROLLED IN 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 any student enrolled in one or more courses offered as part of a fire science curriculum who:

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

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

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

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

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

SENATE VERSION

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

Sec. 54.208. FIREFIGHTERS ~~[FIREMEN]~~ ENROLLED IN 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 any student enrolled in one or more courses offered as part of a fire science curriculum who:

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

(2) is currently, and has been for at least one year, an active member of an organized volunteer fire department in this state, as defined by the fire fighters' pension commissioner, who holds:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Same as House version.

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