

## **BILL ANALYSIS**

C.S.S.B. 1782  
By: West  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties suggest that more flexibility in restrictions relating to formula funding and dropped courses for returning adult students at public institutions of higher education would be beneficial. C.S.S.B. 1782 seeks to encourage returning students to complete their college degrees by eliminating certain of those restrictions and prohibiting an institution from charging a higher tuition rate for certain repeated or excessive undergraduate hours.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

### **ANALYSIS**

C.S.S.B. 1782 amends the Education Code to require the Texas Higher Education Coordinating Board to adopt rules under which a public institution of higher education is required to permit a student to drop one additional course under the applicable circumstances beyond the maximum number of courses permitted to be dropped under state law or institution policy, as applicable, if the student has reenrolled at the institution following a break in enrollment covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment and successfully completed at least 50 semester credit hours of course work at the institution before that break in enrollment. This provision applies beginning with the 2017 fall semester.

C.S.S.B. 1782 requires the coordinating board to include funding for the first 15 additional semester credit hours earned by a student who has reenrolled at the institution following a break in enrollment covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment and successfully completed at least 50 semester credit hours of course work at the institution before that break in enrollment in the coordinating board's funding formulas without consideration of certain restrictions, makes that requirement applicable beginning with funding recommendations for the 2020-2021 state fiscal biennium, and prohibits an institution of higher education from charging tuition to a resident undergraduate student at a higher rate based on repeated or excessive undergraduate hours for courses taken by the student that are required to be included by the coordinating board in its funding formulas under the bill's provisions.

## EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

## COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1782 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

### SENATE ENGROSSED

SECTION 1. Section 51.907, Education Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) The Texas Higher Education Coordinating Board shall adopt rules under which an institution of higher education shall permit a student to drop one additional course under circumstances described by Subsection (b) than the number of courses permitted to be dropped under Subsection (c) or under a policy adopted under Subsection (d) if the student:

(1) has reenrolled at the institution following a break in enrollment from the institution or another institution of higher education covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(2) successfully completed at least 50 semester credit hours of course work at an institution of higher education before that break in enrollment.

No equivalent provision.

SECTION 2. Section 61.059, Education Code, is amended by adding Subsection (r) to read as follows:

(r) Notwithstanding any other law, the board may not exclude from the number of

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 51.907, Education Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) The Texas Higher Education Coordinating Board shall adopt rules under which an institution of higher education shall permit a student to drop one additional course under circumstances described by Subsection (b) than the number of courses permitted to be dropped under Subsection (c) or under a policy adopted under Subsection (d) if the student:

(1) has reenrolled at the institution following a break in enrollment covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(2) successfully completed at least 50 semester credit hours of course work at the institution before that break in enrollment.

SECTION 2. Section 54.014, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (a), an institution of higher education may not charge tuition to a resident undergraduate student at a higher rate under that subsection for semester credit hours for courses taken by the student that are required to be included by the Texas Higher Education Coordinating Board in the formulas established under Section 61.059 by application of Section 61.0595(f-1).

SECTION 3. Section 61.0595, Education Code, is amended by adding Subsection (f-1) to read as follows:

(f-1) In the formulas established under Section 61.059, the board shall include

semester credit hours reported to the Legislative Budget Board for formula funding under this section semester credit hours for any course taken up to three times by a student who:

(1) has reenrolled at an institution of higher education following a break in enrollment from the institution or another institution of higher education covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(2) successfully completed at least 50 semester credit hours of course work at an institution of higher education before that break in enrollment.

SECTION 3. Section 61.0595(d), Education Code, is amended to read as follows:

(d) The following are not counted for purposes of determining whether the student has previously earned the number of semester credit hours specified by Subsection (a):

(1) semester credit hours earned by the student before receiving a baccalaureate degree that has previously been awarded to the student;

(2) semester credit hours earned by the student by examination or under any other procedure by which credit is earned without registering for a course for which tuition is charged;

(3) credit for a remedial education course, a technical course, a workforce education course funded according to contact hours, or another course that does not count toward a degree program at the institution;

(4) semester credit hours earned by the student at a private institution or an out-of-state institution; ~~and~~

(5) semester credit hours earned by the student before graduating from high school and used to satisfy high school graduation requirements; and

(6) the first additional 15 semester credit hours earned toward a degree program by a student who:

(A) has reenrolled at an institution of higher education following a break in enrollment from the institution or another institution of higher education covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

without consideration of Subsection (a) or (e) funding for the first 15 additional semester credit hours earned by a student who:

(1) has reenrolled at the institution following a break in enrollment covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(2) successfully completed at least 50 semester credit hours of course work at the institution before that break in enrollment.

No equivalent provision (*But see SECTION 3 above.*)

(B) successfully completed at least 50 semester credit hours of course work at an institution of higher education before that break in enrollment.

SECTION 4. (a) The Texas Higher Education Coordinating Board shall adopt the rules required by Section 51.907(e-1), Education Code, as added by this Act, not later than June 1, 2018.

(b) The change in law made by this Act to Section 51.907, Education Code, applies beginning with the 2018 fall semester.

SECTION 5. The changes in law made by this Act to Sections 61.059 and 61.0595, Education Code, apply beginning with funding recommendations made under Section 61.059, Education Code, for the state fiscal biennium beginning September 1, 2019.

SECTION 6. This Act takes effect September 1, 2017.

SECTION 4.

Section 51.907, Education Code, as amended by this Act, applies beginning with the 2017 fall semester.

SECTION 5. The changes in law made by this Act to Section 61.0595, Education Code, apply beginning with funding recommendations made under Section 61.059, Education Code, for the state fiscal biennium beginning September 1, 2019.

SECTION 6. 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, 2017.