

## **BILL ANALYSIS**

Senate Research Center  
76R3815 JSA-D

S.B. 345  
By: Bivins  
Education  
2/8/1999  
As Filed

### **DIGEST**

Currently, Texas law prohibits the state from funding undergraduate semester credit hours taken by a student in excess of 170 hours beginning with the 1999 Fall semester. Since higher education institutions would not receive funding for excessive hours, S.B. 1907, 75th Legislature, authorized institutions to charge a higher rate of tuition for hours above the 170-hour cap. S.B. 345 grandfathers all students who in enrolled in higher education prior to 1999, ensuring that students have advance knowledge of the undergraduate hour cap. It also replaces the 170-hour cap with a tiered cap based on the minimum number of hours required to complete the student's degree, and removes exceptions to the cap that complicate tracking a student's accumulation of hours.

### **PURPOSE**

As proposed, S.B. 345 regulates the formula funding and tuition charged for certain excess credit hours of undergraduate students attending institutions of higher education.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 61.0595, Education Code, by amending Subsections (a), (b), and (d), and adding Subsection (e), to prohibit the Texas Higher Education Coordinating Board (coordinating board) from including funding for semester credit hours earned by a resident undergraduate student who before the semester or other academic session begins has previously attempted the maximum number, rather than 170 or more, semester credit hours provided by this subsection. Provides that the maximum number of semester credit hours previously attempted by a student to be used for the purposes of this subsection is determined according to the minimum number of semester credit hours required for completion of the degree or certificate program in which the student is enrolled in the term or semester for which the funding is being determined. Sets forth a table describing the minimum and maximum number of credit hours. Provides that for purposes of Subsection (a), an undergraduate student who is not enrolled in a degree or certificate program is considered to be enrolled in a degree program requiring a minimum of 120 semester credit hours. Provides that a technical course is not counted for purposes of determining whether the student has previously earned the number of semester credit hours specified by Subsection (a). Provides that Subsection (a) does not apply to funding for semester credit hours earned by a student who initially enrolled as an undergraduate student in any institution of higher education before the 1999 fall semester. Requires the board to include funding for those semester credit hours without consideration of Subsection (a). Deletes the provision stating that Subsection (a) does not apply to students enrolled in certain programs.

SECTION 2. Amends Section 54.068, Education Code, to require an institution of higher education to charge a resident student tuition at a higher rate than the rate charged to other resident students, not to exceed the rate charged to nonresident students, for a course for which Section 61.0595 requires the coordinating board, to exclude funding for the semester credit hours for which the student registers. Requires the legislature to compute the local funds available to each institution as if the additional amount of tuition collected under Subsection (a), were not collected. Provides that for the 1999-2000 and 2000-2001 academic years, this section does not apply to the tuition charged

to a student who initially enrolled as an undergraduate student in an institution of higher education before the 1999 fall semester. Provides that this subsection expires January 1, 2002. Authorizes an institution to charge a student tuition at a higher rate than the rate charged to other resident students, if the semester credit hours for which the student registers would have been excluded from the coordinating board's funding recommendations for those academic years under Section 61.0595. Provides that this subsection expires January 1, 2002. Prohibits appropriation to institutions of higher education for the 1999- 2000 and 2000-2001 state fiscal year from including funding for enrollment growth attributed to certain semester credit hours. Provides that this subsection expires January 1, 2002. Makes conforming and nonsubstantive changes.

SECTION 3. Provides that Section 61.0595, Education Code, applies beginning with the funding recommendations made under Section 61.059, Education Code, for the 2001-2002 academic year. Provides that Section 54.068, Education Code, applies beginning with the tuition charged for the 1999 fall semester as provided by Section 3.02, Chapter 1073, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 4. Emergency clause.

Effective date: upon passage.