

BILL ANALYSIS

Senate Research Center
76R5584 JSA-D

C.S.S.B. 345
By: Bivins
Education
2/11/1999
Committee Report (Substituted)

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. C.S.S.B 345 will regulate the formula founding and tuition charged for certain excess credit hours of undergraduate students attending institutions of higher education.

PURPOSE

As proposed, C.S.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 a number of, rather than 170 or more, semester credit hours that exceeds by at least 45 hours the number of semester credit hours required for completion of the degree program in which the student is enrolled. Provides that for purposes of Subsection (a), an undergraduate student who is not enrolled in a degree program is considered to be enrolled in a degree program requiring a minimum of 120 semester credit hours. Provides that a technical course and a workforce education course funded according to contact hours are not counted toward the student's degree program at the institution. 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 undergraduate student tuition at a higher rate than the rate charged to other resident undergraduate students, not to exceed the rate charged to nonresident undergraduate students, if before the semester or other academic session begins the student has previously attempted a number of semester credit hours for courses taken at any institution of higher education while classified as a resident student for tuition purposes that exceeds by at least 45 hours the number of semester credit hours required for completion of the degree program in which the student is enrolled. Provides that an undergraduate student who is not enrolled in a degree program is considered to be enrolled in a degree program requiring a minimum of 120 semester credit hours. Provides that semester credit hours or other credit listed in Section 61.059 are not counted in determining the number of semester credit hours previously attempted by a student.

Provides that Subsection (a) 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 in its appropriations to institutions of higher education, the legislature shall compute the local funds available to each institution as if the tuition collected under Subsection (a) were not collected. Prohibits the legislature from including funding to certain semester credit hours attributable to enrollment growth for the 1997-1998 and 1998-1999 academic years to be earned in the 1999-2000 and 2000-2001 academic years by resident students who are charged the resident students tuition rate for those hours, but who would have been subjected to a higher tuition rate than the rate charged to other resident students, as permitted by this section, if this section as it existed on January 1, 1999, were applicable to those academic years, in appropriations for the 1999-2000 and 2000-2001 fiscal years. 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.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 61.0595, to prohibit the coordinating board from including funding for semester credit hours that exceed by at least 45 hours the number of credit hours required for completion of the program. Deletes text regarding a formula for determining funding for credit hours. Provides that an undergraduate student who is not enrolled in a degree program is considered enrolled in a degree program requiring a minimum of 120 semester credit hours. Provides that a workforce education course funding according to contact hours are not counted for purposes of determining whether the student has earned the number of semester credit hours specified by Subsection (a).

SECTION 2.

Amends Section 54.068, to authorize an institution of higher education to charge a resident undergraduate student tuition at a higher rate under certain conditions. Provides that semester credit hours or other credit listed in Section 61.0595(d) are not counted in determining the number of semester credit hours attempted by a student. Provides that Subsection (a) 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. Prohibits the legislature from including funding for certain semester hours in certain school years in its appropriations.