

BILL ANALYSIS

Senate Research Center
77R12098 KSD-D

H.B. 253
By: Longoria (Madla)
Finance
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Engrossed

DIGEST AND PURPOSE

Under current law, the state is required to pay \$50,000 to the surviving spouse or parent of certain public servants killed in the line of duty. H.B. 253 increases to \$250,000 the amount the state is required to pay to an eligible surviving spouse, child, or parent of certain law enforcement officers, firefighters, and other public servants and provides fee exemptions for a surviving spouse or child attending a public institution of higher education.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 615.021(a), Government Code, to provide that a survivor of an individual listed under Section 615.003 is eligible for the payment of assistance under this chapter if the survivor is the surviving spouse of the listed individual; a surviving, rather than a minor, child of the listed individual, if there is no surviving spouse; or a surviving rather than a dependent, parent of the listed individual, if there is no surviving spouse or child. Deletes language regarding surviving siblings and surviving parents.

SECTION 2. Amends Section 615.022, Government Code, as follows:

Sec. 615.022. New heading: PAYMENT TO SURVIVORS. (a) Requires the state, if there is an eligible surviving spouse, to pay \$250,000, rather than \$50,000, to the eligible surviving spouse.

(b) Requires the state, if there is no eligible surviving spouse, the state to pay \$250,000 in equal shares to surviving children.

(c) Requires the state, if there is no eligible surviving spouse or child, to pay \$250,000 in equal shares to surviving parents.

SECTION 3. Amends Chapter 615B, Government Code, by adding Section 615.0225, as follows:

Sec. 615.0225. EDUCATION BENEFITS FOR CERTAIN SURVIVORS. (a) Provides that a person is eligible to receive education benefits under this section if the person is a surviving spouse or a surviving child, if the child was claimed as a dependent on the income tax return filed with the Internal Revenue Service by the listed individual in the year preceding the year in which the listed individual died.

(b) Provides that an eligible person who enrolls as a full-time student at an institution of higher education as defined by Section 61.003, Education Code, is exempt from tuition and fees at that institution of higher education until the student receives a bachelor's

degree or 200 hours of course credit, whichever occurs first.

(c) Requires the institution, if the student elects to reside in housing provided by the institution of higher education and qualifies to reside in that housing, to pay from the general revenue appropriated to the institution the cost of the student's contract for food and housing until the student receives a bachelor's degree or 200 hours of course credit, whichever occurs first. Requires the institution, if there is no space available in the institution's housing, to from the general revenue appropriated to the institution, pay to the student each month the equivalent amount that the institution would have expended had the student lived in the institution's housing. Provides that the institution is not required to pay the student the monthly payment if the student would not qualify to live in the institution's housing.

(d) Requires the institution of higher education to, from the general revenue appropriated to the institution, pay to the student the cost of the student's textbooks until the student receives a bachelor's degree or 200 hours of course credit, whichever occurs first.

(e) Provides that a payment under this section is in addition to any payment made under Section 615.022.

SECTION 4. Amends Section 615.042(c), Government Code, to delete language regarding dependent siblings.

SECTION 5. Amends Section 615.043, Government Code, to make a conforming change.

SECTION 6. Amends Section 615.044(a), Government Code, to make a conforming change.

SECTION 7. Repealer: Sections 615.023, 615.024, and 615.025, Government Code.

SECTION 8. (a) Provides that the change in law made by this Act relating to the death of certain public servants applies only in relation to a death that occurs on or after September 1, 2000. Provides that matters regarding eligibility, payment, and other benefits under Subchapter B, Chapter 615, Government Code, in relation to a death that occurs before September 1, 2000, are governed by the law in effect when the death occurs, and the former law is continued in effect for that purpose.

(b) Makes application of this Act prospective.

SECTION 9. Effective date: upon passage or September 1, 2001.