

## All Prefiled Amendments for: SB 215

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### **Anchia**

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### **Gonzales, Larry**

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## All Prefiled Amendments for: SB 215

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### Howard

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### Zerwas

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**The following 24 amendments were  
published on 5/14/13 9:21 PM**



13 MAY 14 AM 8:11  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Anchia*

- 1 Amend C.S.S.B. No. 215 (house committee printing) as follows:
- 2 (1) On page 7, line 18, strike "created by general law".
- 3 (2) On page 8, line 1, strike "September 1, 1979" and
- 4 substitute "August 27, 1979".



13 MAY 14 AM 8:51  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Anchia*

1 Amend C.S.S.B. No. 215 (house committee printing) by striking  
2 the text on page 15, lines 14 through 18, and substituting the  
3 following:  
4 to the board. The board by rule may prescribe the timing and format  
5 of the notification required by this subsection. The board by rule  
6 shall require a private or independent institution of higher  
7 education to provide to the board the institution's external audit  
8 involving funds administered by the board. The private or  
9 independent institution of higher education's external audit must  
10 comply with the board's rules for auditing those funds.



13 MAY 14 AM 8:51  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

Anchua

- 1 Amend C.S.S.B. No. 215 (house committee printing) on page 37,
- 2 line 6, between "(9)" and "Subsections (i)", by inserting
- 3 "Subsection (e), Section 56.407;".



13 MAY 14 AM 12:  
HOUSE OF REPRESENTA

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Ancha

1 Amend C.S.S.B. No. 215 (house committee printing) as follows:

2 (1) Strike added Section 61.0512(d), Education Code (page  
3 20, line 27, through page 21, line 2), and reletter the remaining  
4 subsections of amended Section 61.0512, Education Code,  
5 accordingly.

6 (2) Strike added Section 61.0512(f), Education Code (page  
7 21, lines 7 through 16), and reletter the remaining subsections of  
8 amended Section 61.0512, Education Code, accordingly.

9 (3) Add the following appropriately numbered SECTION to the  
10 bill and renumber the remaining SECTIONS of the bill accordingly:

11 SECTION \_\_\_\_\_. Subchapter C, Chapter 61, Education Code, is  
12 amended by adding Section 61.0518 to read as follows:

13 Sec. 61.0518. LOW-PRODUCING DEGREE PROGRAM REVIEW. (a) In  
14 this section:

15 (1) "Degree program" includes a certificate program.

16 (2) "Related degree program" means a degree program  
17 for which an institution of higher education may use common faculty  
18 and other resources.

19 (3) "Small class" means a section of a course offered  
20 by an institution of higher education that is considered a lecture,  
21 laboratory class, or seminar that is:

22 (A) an undergraduate class with fewer than 10  
23 undergraduate registrants; or

24 (B) a graduate class with fewer than five  
25 graduate registrants.

26 (b) The board shall provide to each institution of higher  
27 education an annual list of those degree programs offered by the  
28 institution that do not meet the following applicable minimum  
29 standards for the number of degrees or certificates awarded in the

1 program:

2 (1) for a career technical certificate or an  
3 associate's or bachelor's degree program, a total of at least 25  
4 degrees or certificates awarded for the preceding five-year period;

5 (2) for a master's degree program, a total of at least  
6 15 degrees awarded for the preceding five-year period; and

7 (3) for a doctoral or special professional degree  
8 program, a total of at least 10 degrees awarded for the preceding  
9 five-year period.

10 (c) The board shall notify an institution of higher  
11 education when a degree program offered by the institution has not  
12 met the applicable minimum standards prescribed by Subsection (b)  
13 for three consecutive academic years, and subsequently if that  
14 degree program has not met those standards for four consecutive  
15 academic years.

16 (d) For purposes of this section, the completion of a career  
17 technical certificate program that is classified in the same manner  
18 as an associate's degree program is counted as a completion of the  
19 corresponding associate's degree program.

20 (e) This section does not apply to:

21 (1) a new degree program during the first five  
22 academic years after its implementation; or

23 (2) a master's degree program requiring only courses  
24 taught in the corresponding doctoral program.

25 (f) If the board determines that a degree program offered by  
26 an institution of higher education has not met the applicable  
27 minimum standards prescribed by Subsection (b) for five consecutive  
28 years and the board substantiates and makes available to the  
29 institution evidence of any cost-savings and efficiencies  
30 associated with the consolidation or elimination of the degree  
31 program, the board shall order the institution to consolidate or



1 eliminate the degree program. On receipt of that order, the  
2 institution must:

3 (1) eliminate the degree program or consolidate the  
4 degree program with another program or programs in accordance with  
5 the order; or

6 (2) request a temporary exemption from the requirement  
7 of Subdivision (1).

8 (g) On request by an institution of higher education, the  
9 board shall grant a low-producing degree program a temporary  
10 exemption from the requirement of Subsection (f)(1) if the board  
11 determines that:

12 (1) based on a narrative explanation submitted by the  
13 institution in the institution's request:

14 (A) the institution has demonstrated that the  
15 degree program contributes to meeting the goals in "Closing the  
16 Gaps," the state's master plan for higher education, or other board  
17 priorities, including meeting workforce needs in specific  
18 industries; and

19 (B) the institution is making efforts in regard  
20 to the degree program to increase enrollments, limit cost  
21 inefficiencies, limit the number of small classes, and improve  
22 program success; or

23 (2) the degree program is composed exclusively of  
24 courses required for other existing degree programs at the  
25 institution and there is limited or no additional cost associated  
26 with the degree program.

27 (h) The board shall approve or deny a request for a  
28 temporary exemption under Subsection (f) not later than the 60th  
29 day after the date the request is submitted. If approved, the  
30 board, in cooperation with the institution of higher education,  
31 shall establish the duration, not to exceed four years, for the

1 temporary exemption. If the request is denied, the board shall  
2 provide the institution with an explanation for the denial.

3 (i) An institution of higher education may appeal a denial  
4 of a temporary exemption under Subsection (h) to the board. The  
5 board by rule shall establish a process for appeal, including time  
6 frames for testimony and other evidence and the types of  
7 information the board may consider in making a decision on an  
8 appeal.

9 (j) Except as otherwise provided by this subsection, a  
10 program that has been discontinued due to low productivity may not  
11 be considered for reinstatement for a period of 10 years. To be  
12 eligible for reinstatement after that period, a program must  
13 satisfy the board's requirements for the approval of a new academic  
14 program. An institution may request the reinstatement of a program  
15 discontinued due to low productivity before the conclusion of the  
16 10-year period by completing the applicable new academic program  
17 request form and providing compelling evidence of state or regional  
18 need that the board considers satisfactory. An institution may not  
19 request reinstatement of a program more than once per year.

20 (k) An institution of higher education may not add a new  
21 degree program that is a related degree program to one that has been  
22 discontinued due to low productivity without completing the  
23 applicable new program request form and providing compelling  
24 evidence of state or regional need that the board considers  
25 satisfactory.

26 (l) The board shall adopt rules to implement this section,  
27 including rules specifying the time frame and process for  
28 consolidating or eliminating a degree program.



13 MAY 14 AM 10:00  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Anchia*

1 Amend C.S.S.B. No. 215 (house committee printing) as follows:

2 (1) On page 37, line 3, strike "and 57.50" and substitute  
3 "57.50, 58.001, 58.003, 58.004, and 58.005".

4 (2) Add the following appropriately numbered subdivisions  
5 to SECTION 41 of the bill and renumber the other subdivisions of  
6 that SECTION accordingly:

7 ( ) Subchapter T, Chapter 61;

8 ( ) Section 29.185(b);

9 ( ) Subsections (b), (c), (d), and (e), Section  
10 58.002;

11 (3) Add the following appropriately numbered SECTIONS to  
12 the bill and renumber the remaining SECTIONS of the bill  
13 accordingly:

14 SECTION \_\_\_\_\_. Section 28.009(d)(2), Education Code, is  
15 amended to read as follows:

16 (2) "Sequence of courses" means career and technical  
17 education courses approved by the State Board of Education or [7]  
18 innovative courses approved by the State Board of Education that  
19 are provided for local credit~~[, or a tech-prep program of study~~  
20 ~~under Section 61.852]~~.

21 SECTION \_\_\_\_\_. Section 39.301(c), Education Code, is amended  
22 to read as follows:

23 (c) Indicators for reporting purposes must include:

24 (1) the percentage of graduating students who meet the  
25 course requirements established by State Board of Education rule  
26 for the minimum high school program, the recommended high school  
27 program, and the advanced high school program;

28 (2) the results of the SAT, ACT, ~~[articulated~~  
29 ~~postsecondary degree programs described by Section 61.852,]~~ and

1 certified workforce training programs described by Chapter 311,  
2 Labor Code;

3 (3) for students who have failed to perform  
4 satisfactorily, under each performance standard under Section  
5 39.0241, on an assessment instrument required under Section  
6 39.023(a) or (c), the performance of those students on subsequent  
7 assessment instruments required under those sections, aggregated  
8 by grade level and subject area;

9 (4) for each campus, the number of students,  
10 disaggregated by major student subpopulations, that agree under  
11 Section 28.025(b) to take courses under the minimum high school  
12 program;

13 (5) the percentage of students, aggregated by grade  
14 level, provided accelerated instruction under Section 28.0211(c),  
15 the results of assessment instruments administered under that  
16 section, the percentage of students promoted through the grade  
17 placement committee process under Section 28.0211, the subject of  
18 the assessment instrument on which each student failed to perform  
19 satisfactorily under each performance standard under Section  
20 39.0241, and the performance of those students in the school year  
21 following that promotion on the assessment instruments required  
22 under Section 39.023;

23 (6) the percentage of students of limited English  
24 proficiency exempted from the administration of an assessment  
25 instrument under Sections 39.027(a)(1) and (2);

26 (7) the percentage of students in a special education  
27 program under Subchapter A, Chapter 29, assessed through assessment  
28 instruments developed or adopted under Section 39.023(b);

29 (8) the percentage of students who satisfy the college  
30 readiness measure;

31 (9) the measure of progress toward dual language

1 proficiency under Section 39.034(b), for students of limited  
2 English proficiency, as defined by Section 29.052;

3 (10) the percentage of students who are not  
4 educationally disadvantaged;

5 (11) the percentage of students who enroll and begin  
6 instruction at an institution of higher education in the school  
7 year following high school graduation; and

8 (12) the percentage of students who successfully  
9 complete the first year of instruction at an institution of higher  
10 education without needing a developmental education course.

11 SECTION \_\_\_\_\_. Section 42.154(a), Education Code, is amended  
12 to read as follows:

13 (a) For each full-time equivalent student in average daily  
14 attendance in an approved career and technology education program  
15 in grades nine through 12 or in career and technology education  
16 programs for students with disabilities in grades seven through 12,  
17 a district is entitled to:

18 (1) an annual allotment equal to the adjusted basic  
19 allotment multiplied by a weight of 1.35; and

20 (2) \$50, if the student is enrolled in[+]

21 [~~(A)~~] two or more advanced career and technology  
22 education classes for a total of three or more credits[~~+, or~~

23 [~~(B)~~ ~~an advanced course as part of a tech-prep~~  
24 ~~program under Subchapter T, Chapter 61]~~.

25 SECTION \_\_\_\_\_. Section 58.002(a), Education Code, is amended  
26 to read as follows:

27 (a) In this chapter:

28 (1) "Resident physician" means a person who is  
29 appointed a resident physician by a school of medicine in The  
30 University of Texas System, the Texas Tech University System, The  
31 Texas A&M University System, or the University of North Texas

1 System [~~one of the schools of medicine listed in Section 58.001 of~~  
2 ~~this code~~] and who:

3 (A) has received a Doctor of Medicine or a Doctor  
4 of Osteopathic Medicine degree from the Baylor College of Medicine  
5 or from a school of medicine in a university system listed in  
6 Subdivision (1) [~~one of the schools listed in Section 58.001 of this~~  
7 ~~code~~]; or

8 (B) is a citizen of Texas and has received a  
9 Doctor of Medicine or a Doctor of Osteopathic Medicine degree from  
10 some other school of medicine that is accredited by the Liaison  
11 Committee on Medical Education or by the Bureau of Professional  
12 Education of the American Osteopathic Association.

13 (2) [~~"Primary teaching hospital" means a hospital at~~  
14 ~~which one of the schools listed in Section 58.001 of this code~~  
15 ~~educates and trains both resident physicians and undergraduate~~  
16 ~~medical students.~~

17 [~~(3)~~] "Compensation" includes:

18 (A) stipends;

19 (B) payments, if any, for services rendered; and

20 (C) fringe benefits when applied to payments to  
21 or for the benefit of resident physicians.



Bill Callaghan  
 Peter H. ...  
 BY James P. ...  
 as follows:

BY

BY James Earl Ray  
John Brown

BY James Earl Ray  
John Brown

BY James Earl Ray  
John Brown

BY James Earl Ray  
John Brown

18 of public higher education and]".

Maren Marg  
Nasir & Son  
Justin Schindler  
John Otto  
Ch Padar  
David Simpson  
George Loh  
Walter  
Schmidt

John Lenny  
Lynn  
John Otto  
Loren  
Ch Padar  
Zyko  
W. Loh  
Joe Loh  
Powell

HOUSE OF REPRESENTATIVES  
JAN 14, AM 10:33



13 MAY 14 10:11  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

Amend C.S.S.B. No. 215 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 62, Education Code, is amended to read as follows:

SUBCHAPTER C. TEXAS COMPETITIVE KNOWLEDGE [~~RESEARCH UNIVERSITY~~  
~~DEVELOPMENT~~] FUND

Sec. 62.051. DEFINITIONS. In this subchapter:

(1) "Eligible institution" means an institution of higher education that:

(A) is designated as a research university [~~or emerging research university~~] under the coordinating board's accountability system and, for any three consecutive state fiscal years beginning on or after September 1, 2010, made total annual research expenditures in an average annual amount of not less than \$450 million; or

(B) is designated as an emerging research university under the coordinating board's accountability system and, for any three consecutive state fiscal years beginning on or after September 1, 2010, made total annual research expenditures in an average annual amount of not less than \$50 million.

(2) "Fund" means the Texas competitive knowledge fund.

(3) "Institution of higher education" has the meaning assigned by Section 61.003.

Sec. 62.052. PURPOSE. The purpose of this subchapter is to provide funding to eligible research universities and emerging research universities to support faculty to ensure excellence in instruction and research [~~for the recruitment and retention of highly qualified faculty and the enhancement of research~~]



1 ~~productivity at those universities].~~

2       Sec. 62.053. FUND [~~FUNDING~~]. (a) The Texas competitive  
3 knowledge fund consists of money [~~For each state fiscal year, the~~  
4 ~~coordinating board shall distribute any funds]~~ appropriated by the  
5 legislature for the purposes of this subchapter[, ~~and any other~~  
6 ~~funds made available for the purposes of this subchapter,~~] to  
7 eligible institutions [~~based on the average amount of total~~  
8 ~~research funds expended by each institution annually during the~~  
9 ~~three most recent state fiscal years, according to the following~~  
10 ~~rates:~~

11               [~~(1) at least \$1 million for every \$10 million of the~~  
12 ~~average annual amount of those research funds expended by the~~  
13 ~~institution, if that average amount for the institution is \$50~~  
14 ~~million or more; and~~

15               [~~(2) at least \$500,000 for every \$10 million of the~~  
16 ~~average annual amount of those research funds expended by the~~  
17 ~~institution, if that average amount for the institution is less~~  
18 ~~than \$50 million].~~

19       (b) For purposes of this section [~~Subsection (a)~~], the  
20 amount of total research funds expended by an eligible institution  
21 in a state fiscal year is the amount of those funds as reported to  
22 the coordinating board by the institution for that fiscal year,  
23 subject to any adjustment by the coordinating board in accordance  
24 with the standards and accounting methods the coordinating board  
25 prescribes for purposes of this section. [~~If the funds available~~  
26 ~~for distribution for a state fiscal year under Subsection (a) are~~  
27 ~~not sufficient to provide the amount specified by Subsection (a)~~  
28 ~~for each eligible institution or exceed the amount sufficient for~~  
29 ~~that purpose, the available amount shall be distributed in~~  
30 ~~proportion to the total amount to which each institution is~~  
31 ~~otherwise entitled under Subsection (a).~~]

1       Sec. 62.0535. INITIAL CONTRIBUTION. For the first state  
2 fiscal biennium in which an eligible institution receives an  
3 appropriation under this subchapter, the institution's other  
4 general revenue appropriations shall be reduced by an amount not to  
5 exceed the lesser of \$5 million for the biennium or the amount of  
6 the institution's appropriation under this subchapter for the  
7 biennium. The bill making the appropriation must expressly  
8 identify the purpose for which the appropriations were reduced in  
9 accordance with this section.

10       Sec. 62.054. APPROPRIATION AMOUNTS [RULES]. (a) Of the  
11 total amount appropriated for purposes of this subchapter in a  
12 state fiscal year, an eligible institution is entitled to receive  
13 an appropriation in the amount determined in accordance with this  
14 section.

15       (b) Not less than 50 percent of the total amount  
16 appropriated for purposes of this subchapter shall be appropriated  
17 to eligible institutions described by Section 62.051(1)(A). Each  
18 institution is entitled to receive a share of that amount in  
19 proportion to the average amount of total research funds expended  
20 by each institution annually during the three fiscal years  
21 preceding the state fiscal biennium for which the money is  
22 appropriated.

23       (c) The remainder of the total amount appropriated for  
24 purposes of this subchapter shall be appropriated to eligible  
25 institutions described by Section 62.051(1)(B). Each institution  
26 is entitled to receive a share of that amount in proportion to the  
27 average amount of total research funds expended by each institution  
28 annually during the three fiscal years preceding the state fiscal  
29 biennium for which the money is appropriated. [The coordinating  
30 board shall adopt rules for the administration of this subchapter,  
31 including any rules the coordinating board considers necessary

1 ~~regarding the submission to the coordinating board by eligible~~  
2 ~~institutions of any student data required for the coordinating~~  
3 ~~board to carry out its duties under this subchapter.]~~



13 MAY 14  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.S.B. No. 215 (house committee printing) by adding  
2 the following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 56, Education Code, is  
5 amended by adding Section 56.009 to read as follows:

6 Sec. 56.009. FINANCIAL ASSISTANCE FOR STUDENTS ENROLLED AT  
7 WGU TEXAS OR SIMILAR ONLINE COLLEGES OR UNIVERSITIES. (a) In this  
8 section, "general academic teaching institution" and "private or  
9 independent institution of higher education" have the meanings  
10 assigned by Section 61.003.

11 (b) The Texas Higher Education Coordinating Board by rule  
12 shall:

13 (1) provide student financial assistance grants  
14 during the 2013-2014 and 2014-2015 academic years for students  
15 enrolled:

16 (A) at WGU Texas, or a similar nonprofit,  
17 tax-exempt, regionally accredited college or university operating  
18 in accordance with a memorandum of understanding with this state  
19 pursuant to an executive order issued by the governor and offering  
20 competency-based, exclusively online or other distance education;  
21 and

22 (B) in a degree program approved by the  
23 coordinating board for purposes of this section; and

24 (2) in consultation with representatives of the  
25 coordinating board's financial aid advisory committee,  
26 representatives of financial aid offices of institutions of higher  
27 education and private or independent institutions of higher  
28 education offering online or other distance education courses and  
29 programs similar to those offered by nonprofit colleges or

1 universities described by Subdivision (1)(A), and representatives  
2 of financial aid offices of nonprofit colleges or universities  
3 described by Subdivision (1)(A):

4 (A) conduct a study regarding, and prepare  
5 proposed draft legislation for, the creation of a state-funded  
6 student financial assistance program:

7 (i) that is available only to students of  
8 nonprofit, tax-exempt, regionally accredited universities or  
9 colleges domiciled in this state that offer competency-based,  
10 exclusively online or other distance education; and

11 (ii) under which the highest priority is  
12 given to awarding grants to those eligible students who demonstrate  
13 the greatest financial need; and

14 (B) not later than October 1, 2014, submit to  
15 each standing committee of the legislature with primary  
16 jurisdiction of higher education a report of the results of the  
17 study conducted under Paragraph (A), together with the proposed  
18 draft legislation prepared under that paragraph.

19 (c) The rules adopted under Subsection (b)(1) must  
20 prescribe eligibility requirements for an award of a grant under  
21 that subdivision, including:

22 (1) a requirement that a student:

23 (A) be a resident of this state; and

24 (B) demonstrate financial need; and

25 (2) any additional eligibility requirements, such as  
26 academic achievement, satisfactory academic progress, course load,  
27 or course completion requirements, that the coordinating board  
28 considers reasonable and appropriate for students enrolled in  
29 online or other distance education programs.

30 (d) The amount of a grant awarded to a student under  
31 Subsection (b)(1) for an academic year may not exceed the lesser of:

1           (1) the amount prescribed under Section 61.227(c) as  
2 the maximum annual amount of a tuition equalization grant paid to a  
3 student; or

4           (2) the amount of the difference between:

5                 (A) the tuition charged to the student by the  
6 college or university in which the student is enrolled for that  
7 academic year; and

8                 (B) the average tuition charged to a similarly  
9 situated student by a general academic teaching institution for  
10 that academic year, as determined by the coordinating board.

11           (e) This section expires January 1, 2016.

12           SECTION \_\_\_\_\_. (a) The Texas Higher Education Coordinating  
13 Board shall adopt any rules necessary under Section 56.009,  
14 Education Code, as added by this Act, as soon as practicable after  
15 this Act takes effect. For that purpose, the coordinating board may  
16 adopt the initial rules in the manner provided by law for emergency  
17 rules.

18           (b) The coordinating board shall begin awarding grants in  
19 accordance with Section 56.009(b)(1), Education Code, as added by  
20 this Act, as soon as practicable after this Act takes effect.



13 MAY 14 AM 9:52  
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: *J. Capriglione*

1 Amend C.S.S.B. No. 215 (house committee printing) by adding  
2 the following appropriately numbered SECTION to the bill and  
3 renumbering the remaining SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 54, Education Code, is  
5 amended by adding Section 54.017 to read as follows:

6 Sec. 54.017. MAXIMUM TUITION RATE; STUDY. (a) In this  
7 section:

8 (1) "Coordinating board" means the Texas Higher  
9 Education Coordinating Board.

10 (2) "General academic teaching institution" has the  
11 meaning assigned by Section 61.003.

12 (b) Notwithstanding any other provision of this chapter or  
13 other law, not later than February 1 of each year, the coordinating  
14 board, based on the most recent study conducted under Subsection  
15 (c), shall establish the maximum amount of tuition that a general  
16 academic teaching institution may charge a student for the next  
17 academic year.

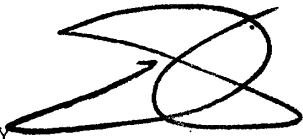
18 (b-1) Subsection (b) does not apply to tuition charged for  
19 the 2013-2014 academic year. For the 2013-2014 academic year, the  
20 maximum amount of tuition that a general academic teaching  
21 institution may charge a student for that academic year is \$10,000.  
22 This subsection expires September 1, 2014.

23 (c) The coordinating board shall conduct an annual study  
24 regarding the affordability of tuition rates at general academic  
25 teaching institutions, including a comparison of rates at similar  
26 institutions in and outside of this state, the return on investment  
27 based on expected salaries of graduates of the institution, and  
28 other appropriate economic factors as determined by the  
29 coordinating board. The coordinating board shall use the results



1 of its study in establishing the maximum amount of tuition for  
2 purposes of Subsection (b).



BY 

AMENDMENT NO.: \_\_\_\_

1 Amend the proposed substitute to S.B. No. 215 (83R23629) as  
2 follows:

3 Strike the text of Section 61.0331, Education Code, as  
4 added by SECTION 15 (page 11, line 21 through page 12, line 9)  
5 and substitute the following:

6 Sec. 61.0331. NEGOTIATED RULEMAKING REQUIRED. The board  
7 shall engage institutions in a negotiated rulemaking process as  
8 described by Chapter 2008, Government Code, when adopting a  
9 policy, procedure, or rule relating to:

10 (1) admission policy under Section 51.762 (common  
11 admission application), 51.807 (uniform admission policy), or  
12 51.843 (graduate and professional admissions), or transfer of  
13 credit under Section 61.827;

14 (2) the allocation or distribution of funds, including  
15 financial aid or other trustee funds under 61.07761;

16 (3) the revaluation of data requests under Section 51.406;  
17 or

18 (4) compliance monitoring under Section 61.035.

13 MAY 13 PM 3:  
HOUSE OF REPRESENTATIVES



AMENDMENT NO.: \_\_\_\_

BY

1 Amend the proposed substitute to S.B. No. 215 as follows:

2 Add appropriately numbered SECTIONS to read as follows (text  
3 of senate engrossment, SB 496):

4 SECTION \_\_. Subsections (b), (d), and (e), Section 61.0572,  
5 Education Code, are amended to read as follows:

6 (b) The board shall:

7 (1) determine formulas for space utilization in all  
8 educational and general buildings and facilities at institutions of  
9 higher education;

10 (2) devise and promulgate methods to assure maximum  
11 daily and year-round use of educational and general buildings and  
12 facilities, including but not limited to maximum scheduling of day  
13 and night classes and maximum summer school enrollment;

14 (3) consider plans for selective standards of admission  
15 when institutions of higher education approach capacity enrollment;

16 (4) require, and assist the public technical institutes,  
17 public senior colleges and universities, medical and dental units,  
18 and other agencies of higher education in developing long-range  
19 campus master plans for campus development; and

20 (5) ~~[endorse, or delay until the next succeeding session~~  
21 ~~of the legislature has the opportunity to approve or disapprove,~~  
22 ~~the proposed purchase of any real property by an institution of~~  
23 ~~higher education, except a public junior college,~~

24 ~~[(6) develop and publish standards, rules, and~~  
25 ~~regulations to guide the institutions and agencies of higher~~

1 ~~education in making application for the approval of new~~  
2 ~~construction and major repair and rehabilitation of all buildings~~  
3 ~~and facilities regardless of proposed use, and~~

4           ~~[(7)]~~ ascertain that the board's standards and  
5 specifications for new construction, repair, and rehabilitation of  
6 all buildings and facilities are in accordance with Chapter 469,  
7 Government Code ~~[Article 9102, Revised Statutes]~~.

8           (d) ~~[(1)]~~ The board~~[, for purposes of state funding,]~~ may  
9 review purchases of ~~[and approve as an addition to an institution's~~  
10 ~~educational and general buildings and facilities inventory any]~~  
11 improved real property added to an institution's educational and  
12 general buildings and facilities inventory ~~[acquired by gifts or~~  
13 ~~lease-purchase only if:~~

14                   ~~[(A)]~~ the institution requests to place the improved  
15 real property on its educational and general buildings and  
16 facilities inventory, and

17                   ~~[(B)]~~ the value of the improved real property is  
18 more than \$300,000 at the time the institution requests the  
19 property to be added to the educational and general buildings and  
20 facilities inventory.

21           ~~[(2)]~~ This subsection does not apply to gifts, grants, or  
22 lease-purchase arrangements intended for clinical or research  
23 facilities.

24           ~~[(c)]~~ Approval of the board is not required to acquire real  
25 property that is financed by bonds issued under Section 55.17(c)(3)  
26 or (4), 55.1713-55.1718, 55.1721-55.1728, 55.1735(a)(1), 55.174,  
27 55.1742, 55.1743, 55.1744, 55.1751-55.17592, 55.1768, 55.1771, or  
28 55.17721, except that the board shall review all real property to  
29 be financed by bonds issued under those sections] to determine  
30 whether the property meets the standards adopted by the board for  
31 cost, efficiency, and space use, but the purchase of the improved  
32 real property is not contingent on board review. If the property  
33 does not meet those standards, the board shall notify the governor,

1 the lieutenant governor, the speaker of the house of  
2 representatives, and the Legislative Budget Board. This subsection  
3 does not impair the board's authority to collect data relating to  
4 the improved real property that is added each year to the  
5 educational and general buildings and facilities inventory of  
6 institutions of higher education.

7 SECTION \_\_. Subsections (a) and (b), Section 61.058,  
8 Education Code, are amended to read as follows:

9 (a) This section does not apply to ~~[Except as provided by~~  
10 ~~Subsection (b) of this section, the board shall approve or~~  
11 ~~disapprove all new construction and repair and rehabilitation of~~  
12 ~~all buildings and facilities at institutions of higher education~~  
13 ~~financed from any source provided that:~~

14 ~~[(A) the board's consideration and determination~~  
15 ~~shall be limited to the purpose for which the new or remodeled~~  
16 ~~buildings are to be used to assure conformity with approved space~~  
17 ~~utilization standards and the institution's approved programs and~~  
18 ~~role and mission if the cost of the project is not more than~~  
19 ~~\$4,000,000, but the board may consider cost factors and the~~  
20 ~~financial implications of the project to the state if the total~~  
21 ~~cost is in excess of \$4,000,000,~~

22 ~~[(B) the requirement of approval for new~~  
23 ~~construction applies only to projects the total cost of which is in~~  
24 ~~excess of \$4,000,000,~~

25 ~~[(C) the requirement of approval for major repair~~  
26 ~~and rehabilitation of buildings and facilities applies only to a~~  
27 ~~project the total cost of which is more than \$4,000,000,~~

28 ~~[(D) the requirement of approval or disapproval by~~  
29 ~~the board does not apply to any new construction or major repair~~  
30 ~~and rehabilitation project that is specifically approved by the~~  
31 ~~legislature,~~

32 ~~[(E) the requirement of approval by the board does~~  
33 ~~not apply to a junior college's construction, repair, or~~

1 ~~rehabilitation financed entirely with funds from a source other~~  
2 ~~than the state, including funds from ad valorem tax receipts of the~~  
3 ~~college, gifts, grants, and donations to the college, and student~~  
4 ~~fees, and~~

5 ~~[(F) the requirement of approval by the board does~~  
6 ~~not apply to construction, repair, or rehabilitation of privately~~  
7 ~~owned buildings and facilities located on land leased from an~~  
8 ~~institution of higher education if the construction, repair, or~~  
9 ~~rehabilitation is financed entirely from funds not under the~~  
10 ~~control of the institution, and provided further that:~~

11 ~~[(i) the]~~ buildings and facilities that are to  
12 be used exclusively for auxiliary enterprises[+] and

13 ~~[(ii) the buildings and facilities]~~ will not  
14 require appropriations from the legislature for operation,  
15 maintenance, or repair ~~[unless approval by the board has been~~  
16 ~~obtained]~~.

17 (b) The ~~[This section does not apply to construction, repair,~~  
18 ~~or rehabilitation financed by bonds issued under Section~~  
19 ~~55.17(c)(3) or (4), 55.1713-55.1718, 55.1721-55.1728, 55.174,~~  
20 ~~55.1742, 55.1743, 55.1744, 55.1751-55.1752, 55.1768, 55.1771, or~~  
21 ~~55.17721, except that the]~~ board may ~~[shall]~~ review all  
22 construction, repair, or rehabilitation of buildings and facilities  
23 at institutions of higher education ~~[to be financed by bonds issued~~  
24 ~~under those sections]~~ to determine whether the construction,  
25 rehabilitation, or repair meets the standards adopted by board rule  
26 for cost, efficiency, and space use, but the construction,  
27 rehabilitation, or repair is not contingent on board review. If  
28 the construction, rehabilitation, or repair does not meet those  
29 standards, the board shall notify the governor, the lieutenant  
30 governor, the speaker of the house of representatives, and the  
31 Legislative Budget Board. This subsection does not impair the  
32 board's authority to collect data relating to the construction,  
33 repair, or rehabilitation of buildings and facilities occurring

1 each year at institutions of higher education.

2       SECTION \_\_\_\_\_. The following provisions of the Education Code  
3 are repealed:

4               (1) Section 61.0573; and

5               (2) Subsection (c), Section 61.058.



13 MAY 14 AM 11:00  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

Amend C.S.S.B. No. 215 as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subsections (b), (d), and (e), Section 61.0572, Education Code, are amended to read as follows:

(b) The board shall:

(1) determine formulas for space utilization in all educational and general buildings and facilities at institutions of higher education;

(2) devise and promulgate methods to assure maximum daily and year-round use of educational and general buildings and facilities, including but not limited to maximum scheduling of day and night classes and maximum summer school enrollment;

(3) consider plans for selective standards of admission when institutions of higher education approach capacity enrollment;

(4) require, and assist the public technical institutes, public senior colleges and universities, medical and dental units, and other agencies of higher education in developing long-range campus master plans for campus development;

(5) by rule adopt ~~[endorse, or delay until the next succeeding session of the legislature has the opportunity to approve or disapprove, the proposed purchase of any real property by an institution of higher education, except a public junior college,~~

~~[(6) develop and publish] standards[, rules, and regulations]~~ to guide the board's review ~~[institutions and agencies of higher education in making application for the approval]~~ of new construction and the ~~[major]~~ repair and rehabilitation of all



1 buildings and facilities regardless of proposed use; and

2           (6) ~~[(7)]~~ ascertain that the board's standards and  
3 specifications for new construction, repair, and rehabilitation of  
4 all buildings and facilities are in accordance with Chapter 469,  
5 Government Code ~~[Article 9102, Revised Statutes]~~.

6           (d) ~~[(1)]~~ The board~~[, for purposes of state funding,]~~ may  
7 review purchases of ~~[and approve as an addition to an institution's~~  
8 ~~educational and general buildings and facilities inventory any]~~  
9 improved real property added to an institution's educational and  
10 general buildings and facilities inventory ~~[acquired by gifts or~~  
11 ~~lease-purchase only if:~~

12                   ~~[(A) the institution requests to place the~~  
13 ~~improved real property on its educational and general buildings and~~  
14 ~~facilities inventory, and~~

15                   ~~[(B) the value of the improved real property is~~  
16 ~~more than \$300,000 at the time the institution requests the~~  
17 ~~property to be added to the educational and general buildings and~~  
18 ~~facilities inventory.~~

19           ~~[(2) This subsection does not apply to gifts, grants,~~  
20 ~~or lease-purchase arrangements intended for clinical or research~~  
21 ~~facilities.~~

22           ~~[(c) Approval of the board is not required to acquire real~~  
23 ~~property that is financed by bonds issued under Section 55.17(e)(3)~~  
24 ~~or (4), 55.1713-55.1718, 55.1721-55.1728, 55.1735(a)(1), 55.174,~~  
25 ~~55.1742, 55.1743, 55.1744, 55.1751-55.17592, 55.1768, 55.1771, or~~  
26 ~~55.17721, except that the board shall review all real property to be~~  
27 ~~financed by bonds issued under those sections]~~ to determine whether  
28 the property meets the standards adopted by the board for cost,  
29 efficiency, and space use, but the purchase of the improved real  
30 property is not contingent on board review. If the property does  
31 not meet those standards, the board shall notify the governor, the

1 lieutenant governor, the speaker of the house of representatives,  
2 the governing board of the applicable institution, and the  
3 Legislative Budget Board. This subsection does not impair the  
4 board's authority to collect data relating to the improved real  
5 property that is added each year to the educational and general  
6 buildings and facilities inventory of institutions of higher  
7 education.

8 SECTION \_\_\_\_\_. Subsections (a) and (b), Section 61.058,  
9 Education Code, are amended to read as follows:

10 (a) This section does not apply to ~~[Except as provided by~~  
11 ~~Subsection (b) of this section, the board shall approve or~~  
12 ~~disapprove all new construction and repair and rehabilitation of~~  
13 ~~all buildings and facilities at institutions of higher education~~  
14 ~~financed from any source provided that.~~

15 [~~(A) the board's consideration and determination~~  
16 ~~shall be limited to the purpose for which the new or remodeled~~  
17 ~~buildings are to be used to assure conformity with approved space~~  
18 ~~utilization standards and the institution's approved programs and~~  
19 ~~role and mission if the cost of the project is not more than~~  
20 ~~\$4,000,000, but the board may consider cost factors and the~~  
21 ~~financial implications of the project to the state if the total cost~~  
22 ~~is in excess of \$4,000,000,~~

23 [~~(B) the requirement of approval for new~~  
24 ~~construction applies only to projects the total cost of which is in~~  
25 ~~excess of \$4,000,000,~~

26 [~~(C) the requirement of approval for major repair~~  
27 ~~and rehabilitation of buildings and facilities applies only to a~~  
28 ~~project the total cost of which is more than \$4,000,000,~~

29 [~~(D) the requirement of approval or disapproval~~  
30 ~~by the board does not apply to any new construction or major repair~~  
31 ~~and rehabilitation project that is specifically approved by the~~

1 legislature,

2                   ~~[(E) the requirement of approval by the board~~  
3 ~~does not apply to a junior college's construction, repair, or~~  
4 ~~rehabilitation financed entirely with funds from a source other~~  
5 ~~than the state, including funds from ad valorem tax receipts of the~~  
6 ~~college, gifts, grants, and donations to the college, and student~~  
7 ~~fees, and~~

8                   ~~[(F) the requirement of approval by the board~~  
9 ~~does not apply to construction, repair, or rehabilitation of~~  
10 ~~privately owned buildings and facilities located on land leased~~  
11 ~~from an institution of higher education if the construction,~~  
12 ~~repair, or rehabilitation is financed entirely from funds not under~~  
13 ~~the control of the institution, and provided further that.~~

14                   ~~[(i) the]~~ buildings and facilities that are  
15 to be used exclusively for auxiliary enterprises~~[+]~~ and

16                   ~~[(ii) the buildings and facilities]~~ will  
17 not require appropriations from the legislature for operation,  
18 maintenance, or repair ~~[unless approval by the board has been~~  
19 ~~obtained]~~.

20       (b) The ~~[This section does not apply to construction,~~  
21 ~~repair, or rehabilitation financed by bonds issued under Section~~  
22 ~~55.17(e)(3) or (4), 55.1713-55.1718, 55.1721-55.1728, 55.174,~~  
23 ~~55.1742, 55.1743, 55.1744, 55.1751-55.17592, 55.1768, 55.1771, or~~  
24 ~~55.17721, except that the]~~ board may ~~[shall]~~ review all  
25 construction, repair, or rehabilitation of buildings and  
26 facilities at institutions of higher education ~~[to be financed by~~  
27 ~~bonds issued under those sections]~~ to determine whether the  
28 construction, rehabilitation, or repair meets the standards  
29 adopted by board rule for cost, efficiency, and space use, but the  
30 construction, rehabilitation, or repair is not contingent on board  
31 review. If the construction, rehabilitation, or repair does not

1 meet those standards, the board shall notify the governor, the  
2 lieutenant governor, the speaker of the house of representatives,  
3 the governing boards of the applicable institutions, and the  
4 Legislative Budget Board. This subsection does not impair the  
5 board's authority to collect data relating to the construction,  
6 repair, or rehabilitation of buildings and facilities occurring  
7 each year at institutions of higher education.

8       (2) In SECTION 41 of the bill (on page 37, between lines 5  
9 and 6), insert the following appropriately designated subdivisions  
10 and redesignate the other subdivisions of that SECTION  
11 appropriately:

12               (\_\_\_\_) Section 61.0573;

13               (\_\_\_\_) Subsection (c), Section 61.058;





13 MAY 14 AM 9:39  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Helen Giddings*

Amend C.S.S.B. No. 215 (house committee printing) as follows:

(1) On page 2, lines 3-4, strike "Subdivisions (2) and (3), Section 56.451, Education Code, are amended" and substitute "Section 56.451, Education Code, is amended by amending Subdivisions (2) and (3) and adding Subdivisions (4) and (5)".

(2) On page 2, between lines 16 and 17, insert the following:

(4) "Administering entity" means the coordinating board or institution of higher education, as applicable, that administers the Texas B-On-time loan program for students enrolled at one or more institutions.

(5) "Program" means the Texas B-On-time loan program.

(3) On page 2, between lines 22 and 23, insert the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Section 56.453, Education Code, is amended to read as follows:

Sec. 56.453. ADMINISTRATION OF PROGRAM; RULES. (a) Each eligible institution that sets aside a portion of the tuition charged to students of the institution under Section 56.465 shall administer the Texas B-On-time loan program for students enrolled at that institution and shall adopt rules for that purpose.

(b) The coordinating board shall:

(1) administer the Texas B-On-time loan program for students enrolled at eligible institutions that are private or independent institutions of higher education; and

(2) ~~[determine the repayment and other terms of a Texas B-On-time loan; and~~

~~[(3)]~~ in consultation with the student financial aid officers of those eligible institutions, adopt any rules necessary

1 to implement the program or this subchapter for students enrolled  
2 at those institutions.

3 (c) An administering entity:

4 (1) shall determine the repayment and other terms of a  
5 Texas B-On-time loan awarded by the entity; and

6 (2) [~~(b) The coordinating board~~] may charge and  
7 collect a loan origination fee from a person who receives a Texas  
8 B-On-time loan awarded by the entity to be used by the entity  
9 ~~[board]~~ to pay for the operating expenses for making loans under  
10 this subchapter.

11 (d) [~~(c)~~] The total amount of Texas B-On-time loans awarded  
12 may not exceed the amount available in the applicable Texas  
13 B-On-time student loan account under Section 56.463.

14 (4) Strike page 3, line 27, through page 4, line 2, and  
15 substitute the following:

16 (5) comply with any additional nonacademic  
17 requirement adopted by the administering entity for the institution  
18 at which the student enrolls ~~[coordinating board]~~ under this  
19 subchapter.

20 (5) On page 5, strike lines 1-2 and substitute the  
21 following:

22 (5) complies with any additional nonacademic  
23 requirement adopted by the applicable administering entity  
24 ~~[coordinating board]~~.

25 (6) On page 5, between lines 2-3, insert the following  
26 appropriately numbered SECTION:

27 SECTION \_\_\_\_\_. Section 56.457, Education Code, is amended to  
28 read as follows:

29 Sec. 56.457. WAIVER OF COURSE LOAD REQUIREMENT. (a) The  
30 applicable administering entity ~~[coordinating board]~~ shall adopt  
31 rules to allow a person who is otherwise eligible to receive a Texas

1 B-On-time loan, in the event of a hardship or other good cause, to  
2 receive a Texas B-On-time loan while enrolled in a number of  
3 semester credit hours that is less than the number of semester  
4 credit hours required under Section 56.455 or 56.456, as  
5 applicable.

6 (b) The administering entity [~~coordinating board~~] may not  
7 allow a person to receive a Texas B-On-time loan while enrolled in  
8 fewer than six semester credit hours.

9 (7) On page 5, line 3, strike "(a) and (b)" and substitute  
10 "(a), (b), (e), and (f)".

11 (8) Strike page 5, lines 5-12, and substitute the following:

12 (a) The amount of a Texas B-On-time loan for a semester or  
13 term for a student enrolled full-time at an eligible institution  
14 other than an institution covered by Subsection (b) [~~, (c), or (d)~~]  
15 is an amount determined by the applicable administering entity  
16 [~~coordinating board~~] as the average [~~statewide~~] amount of tuition  
17 and required fees that a resident student enrolled full-time in a  
18 baccalaureate [~~an undergraduate~~] degree program would be charged  
19 for that semester or term at the eligible institution at which the  
20 student is enrolled [~~general academic teaching institutions~~].

21 (9) On page 5, between lines 19 and 20, insert the  
22 following:

23 (e) Not later than January 31 of each year, the coordinating  
24 board shall publish the amounts of each loan established by the  
25 board for each type of institution for which the coordinating board  
26 is the administering entity for the academic year beginning the  
27 next fall semester.

28 (f) If in any academic year the amount of money in the  
29 statewide Texas B-On-time student loan account is insufficient to  
30 provide the loans to all eligible persons enrolled at institutions  
31 for which the coordinating board is the administering entity in



1 amounts specified by this section, the coordinating board shall  
2 determine the amount of available money and shall allocate that  
3 amount to eligible institutions for which the coordinating board is  
4 the administering entity in proportion to the number of full-time  
5 equivalent undergraduate students enrolled at each institution.  
6 Each institution shall use the money allocated to award Texas  
7 B-On-time loans to eligible students enrolled at the institution  
8 selected according to financial need.

9 (10) Insert the following appropriately numbered SECTIONS  
10 to the bill:

11 SECTION \_\_\_\_\_. Section 56.460(a), Education Code, is amended  
12 to read as follows:

13 (a) The coordinating board, in consultation with all  
14 eligible institutions, shall prepare materials designed to inform  
15 prospective students, their parents, and high school counselors  
16 about the program and eligibility for a Texas B-On-time loan. The  
17 coordinating board shall distribute to each eligible institution  
18 and to each school district a copy of the materials prepared [~~rules~~  
19 ~~adopted~~] under this subchapter.

20 SECTION \_\_\_\_\_. Subchapter Q, Chapter 56, Education Code, is  
21 amended by adding Section 56.4621 to read as follows:

22 Sec. 56.4621. LOAN FORGIVENESS FOR TRANSFER STUDENTS. If a  
23 student becomes eligible for forgiveness of the student's Texas  
24 B-On-time loans under Section 56.462 and the student was awarded  
25 Texas B-On-time loans while attending more than one eligible  
26 institution, the student shall be forgiven all of the loans  
27 regardless of which institution the student attended when the  
28 student became eligible for forgiveness of the loans.

29 SECTION \_\_\_\_\_. Sections 56.463 and 56.464, Education Code,  
30 are amended to read as follows:

31 Sec. 56.463. TEXAS B-ON-TIME STUDENT LOAN ACCOUNTS

1 ~~[ACCOUNT]~~. (a) The statewide Texas B-On-time student loan account  
2 is an account in the general revenue fund. The account consists of  
3 gifts and grants and legislative appropriations received under  
4 Section 56.464~~[, tuition set aside under Section 56.465,]~~ and other  
5 money required by law to be deposited in the account.

6 ~~[(b)]~~ Money in the ~~[Texas B-On-time student loan]~~ account  
7 may be used only to pay any costs of the coordinating board related  
8 to the operation of the Texas B-On-time loan program and as  
9 otherwise provided by this subchapter.

10 (b) Each eligible institution that administers the program  
11 for students enrolled at that institution shall establish a Texas  
12 B-On-time student loan account at the institution. The account  
13 consists of gifts and grants, any legislative appropriations  
14 received under Section 56.464, tuition set aside at the institution  
15 under Section 56.465, and other money required by law to be  
16 deposited in the account. The account is considered institutional  
17 funds of the institution. Money in the institution's Texas  
18 B-On-time student loan account may be used only to pay any costs of  
19 the institution related to the operation of the Texas B-On-time  
20 loan program at the institution and as otherwise provided by this  
21 subchapter.

22 Sec. 56.464. FUNDING. (a) The coordinating board and each  
23 eligible institution may solicit and accept gifts and grants from  
24 any public or private source for the purposes of this subchapter.

25 (b) The coordinating board may issue and sell general  
26 obligation bonds under Subchapter F, Chapter 52, for the purposes  
27 of this subchapter. An eligible institution that administers the  
28 program for students enrolled at that institution, or the  
29 university system of which the eligible institution is a component,  
30 may issue and sell bonds, establish any necessary interest and  
31 sinking funds, and provide appropriate security for those bonds, as

1 necessary to administer the program for those students.

2 (c) The coordinating board shall administer the program for  
3 students at eligible institutions for which the coordinating board  
4 is the administering entity using funds in the statewide Texas  
5 B-On-time student loan account established for those institutions  
6 under Section 56.463(a).

7 (d) The legislature may appropriate money for the purposes  
8 of this subchapter.

9 SECTION \_\_\_\_\_. Section 56.465, Education Code, is amended to  
10 read as follows:

11 Sec. 56.465. TUITION SET ASIDE FOR PROGRAM; UNUSED  
12 SET-ASIDE MONEY. (a) The governing board of each institution of  
13 higher education that charges tuition under Section 54.0513 shall  
14 cause to be set aside five percent of the amount of the tuition  
15 charged to a resident undergraduate student at the institution  
16 under that section [~~Section 54.0513~~] in excess of \$46 per semester  
17 credit hour. The amount of a student's tuition set aside under this  
18 subsection is considered a part of the amount required to be set  
19 aside from that tuition under Section 56.011.

20 (b) The amount of tuition set aside under Subsection (a)  
21 shall be deposited to the credit of the Texas B-On-time student loan  
22 account established by the institution under Section 56.463(b)  
23 [~~56.463 or to the interest and sinking fund established by the~~  
24 ~~coordinating board under Section 52.91(b) in accordance with the~~  
25 ~~resolution of the board establishing such fund~~].

26 (c) If the amount of money deposited in the Texas B-On-time  
27 student loan account established by an eligible institution under  
28 Section 56.463(b) for the preceding five academic years exceeds the  
29 amount necessary to administer the program for that period, the  
30 institution may transfer not more than one-fifth of the excess  
31 amount to an account established by the institution for that

1 purpose. Money in the account established under this subsection  
2 may be used only:

3 (1) for providing additional money for Texas public  
4 educational grants awarded by the institution under Subchapter C;  
5 or

6 (2) for other purposes for which tuition set aside  
7 under Subchapter B may be used, if the institution determines that  
8 the amount in the account exceeds the amount necessary to fully fund  
9 grants to eligible students at the institution under Subchapter C  
10 for the next academic year.

11 SECTION \_\_\_\_\_. Subchapter Q, Chapter 56, Education Code, is  
12 amended by adding Section 56.466 to read as follows:

13 Sec. 56.466. TRANSITION PROVISIONS FOR TRANSFER OF LOAN  
14 PROGRAM TO PUBLIC INSTITUTIONS. (a) The coordinating board, in  
15 consultation with institutions of higher education, shall develop  
16 and adopt a transition plan to provide for the orderly and prompt  
17 transfer of administration of the program from the coordinating  
18 board to institutions of higher education that are authorized to  
19 administer the program for students enrolled at those institutions.

20 (b) Subject to the other provisions of this section, the  
21 transition plan shall permit institutions of higher education  
22 authorized to administer the program for students enrolled at those  
23 institutions to retain the tuition set aside under Section 56.465  
24 beginning with tuition charged for the 2014-2015 academic year and  
25 to begin administering the program for their own students for that  
26 academic year. At the request of an institution authorized to  
27 administer the program for its own students, the coordinating board  
28 shall permit the institution to postpone to a later academic year  
29 the transfer of administration of the program at that institution  
30 and the retention of tuition set aside by the institution.

31 (c) The transition plan must provide for a portion of

1 tuition set aside at an eligible institution under Section 56.465  
2 to continue to be deposited to the credit of the statewide Texas  
3 B-On-time student loan account or to the interest and sinking fund  
4 established by the coordinating board under Section 52.91(b) as  
5 necessary to provide for the repayment of bonds issued on or before  
6 September 1, 2013, to support the Texas B-On-time loan program. The  
7 amount of tuition set aside at eligible institutions that continues  
8 to be deposited to the credit of the statewide Texas B-On-time  
9 student loan account or to the interest and sinking fund under this  
10 subsection must be allocated among the affected eligible  
11 institutions in proportion to the average amount of loans made  
12 under this subchapter at those institutions for the 2009-2010,  
13 2010-2011, 2011-2012, and 2012-2013 academic years.

14 (d) The transition plan may include any other provision the  
15 coordinating board determines necessary to implement the transfer  
16 of administration of the program to affected eligible institutions  
17 that is not inconsistent with this subchapter, including provisions  
18 necessary to ensure the repayment of outstanding state bonds and  
19 obligations.

20 (e) The Texas B-On-time student loan account established in  
21 the general revenue fund under this subchapter before January 1,  
22 2013, is renamed as the statewide Texas B-On-time student loan  
23 account.

24 (11) Renumber the SECTIONS of the bill appropriately.



13 MAY 14 AM 8: 14  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: 

1 Amend C.S.S.B. No. 215 (house committee printing) by adding  
2 the following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 52.39, Education Code, is amended to  
5 read as follows:

6 Sec. 52.39. DEFAULT; SUIT. When any person who has  
7 received or cosigned as a guarantor for a loan authorized by this  
8 chapter has failed or refused to make as many as six monthly  
9 payments due in accordance with an executed note, then the full  
10 amount of the remaining principal and interest becomes due and  
11 payable immediately, and the amount due, the person's name and  
12 ~~[his]~~ last known address, and other necessary information shall be  
13 reported by the board to the attorney general. Suit for the  
14 remaining sum may ~~[shall]~~ be instituted by the attorney general, or  
15 any county or district attorney acting for the attorney general  
16 ~~[him]~~, in the county of the person's residence, the county in which  
17 is located the institution at which the person was last enrolled, or  
18 in Travis County, unless the attorney general finds reasonable  
19 justification for delaying suit and so advises the board in  
20 writing.

21 SECTION \_\_\_\_\_. The changes in law made by this Act to Section  
22 52.39, Education Code, apply only to a suit filed under that section  
23 on or after the effective date of this Act. A suit filed under  
24 Section 52.39, Education Code, before the effective date of this  
25 Act is governed by the law in effect on the date the suit is filed,  
26 and the former law is continued in effect for that purpose.



13 MAY 13 PM 5:10  
HOUSE OF REPRESENTATIVES

*For Mr. [Signature]*  
*[Signature]*  
*No. Q. L. L.*  
*Robert R. [Signature]*  
*Donna Howard*  
*Diane Patrick*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.S.B. No. 215 (house committee printing) as follows:

2 (1) Add the following appropriately numbered SECTIONS to  
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 56.301(2) and (3), Education Code,  
5 are amended to read as follows:

6 (2) "Eligible institution" means a general academic  
7 teaching [an] institution or a medical and dental unit [of higher  
8 education] that offers one or more undergraduate degree or  
9 certification programs. The term does not include a public state  
10 college.

11 (3) "General academic teaching institution,"  
12 "institution of higher education," "medical and dental unit,"  
13 "public [Public] junior college," "public state college," and  
14 "public technical institute" have the meanings assigned by Section  
15 61.003.

16 SECTION \_\_\_\_\_. Section 56.302(b), Education Code, is amended  
17 to read as follows:

18 (b) The purpose of this subchapter is to provide a grant of  
19 money to enable eligible students to attend eligible [public]  
20 institutions [of higher education] in this state.

21 SECTION \_\_\_\_\_. Sections 56.303(d-1), (e), and (f), Education  
22 Code, are amended to read as follows:

23 (d-1) In allocating among eligible [general academic  
24 teaching] institutions money available for initial TEXAS grants for  
25 an academic year, the coordinating board shall ensure that each of  
26 those institutions' proportional [percentage] share of the total  
27 amount of money for initial grants that is allocated to eligible  
28 [general academic teaching] institutions under this section  
29 [subsection] for that year does not, as a result of the number of

1 students who establish eligibility at the institution for an  
2 initial grant under Section 56.3041(2)(A), change from the  
3 institution's proportional ~~[percentage]~~ share of the total amount  
4 of money for initial grants that is allocated to those institutions  
5 under this section ~~[subsection]~~ for the preceding academic year.

6 (e) In determining who should receive a TEXAS grant, the  
7 coordinating board and the eligible institutions shall give  
8 priority to awarding TEXAS grants to students who demonstrate the  
9 greatest financial need and whose expected family contribution, as  
10 determined according to the methodology used for federal student  
11 financial aid, does not exceed 60 percent of the average statewide  
12 amount of tuition and required fees described by Section  
13 56.307(a). In giving priority based on financial need as required  
14 by this subsection to students who meet the requirements for the  
15 highest priority as provided by Subsection (f), an eligible ~~[a~~  
16 ~~general academic teaching]~~ institution shall determine financial  
17 need according to the relative expected family contribution of  
18 those students, beginning with students who have the lowest  
19 expected family contribution.

20 (f) Beginning with TEXAS grants awarded for the 2013-2014  
21 academic year, in determining who should receive an initial TEXAS  
22 grant, each eligible ~~[general academic teaching]~~ institution, in  
23 addition to giving priority as provided by Subsection (e), shall  
24 give highest priority to students who meet the eligibility criteria  
25 described by Section 56.3041(2)(A). If there is money available in  
26 excess of the amount required to award an initial TEXAS grant to all  
27 students meeting those criteria, an eligible ~~[a general academic~~  
28 ~~teaching]~~ institution shall make awards to other students who meet  
29 the eligibility criteria described by Section 56.304(a)(2)(A),  
30 provided that the institution continues to give priority to  
31 students as provided by Subsection (e).



1           SECTION \_\_\_\_\_. Sections 56.304(a) and (e-1), Education Code,  
2 are amended to read as follows:

3           (a) To be eligible initially for a TEXAS grant, a person who  
4 graduated from high school before May 1, 2013, must:

5                   (1) be a resident of this state as determined by  
6 coordinating board rules;

7                   (2) meet either of the following academic  
8 requirements:

9                           (A) be a graduate of a public or accredited  
10 private high school in this state who graduated not earlier than the  
11 1998-1999 school year and who completed the recommended or advanced  
12 high school curriculum established under Section 28.002 or 28.025  
13 or its equivalent; or

14                           (B) have received an associate degree from a  
15 public or private institution of higher education not earlier than  
16 May 1, 2001;

17                   (3) meet financial need requirements as defined by the  
18 coordinating board;

19                   (4) be enrolled in a baccalaureate ~~[an undergraduate]~~  
20 degree ~~[or certificate]~~ program at an eligible institution;

21                   (5) be enrolled as:

22                           (A) an entering undergraduate student for at  
23 least three-fourths of a full course load for an entering  
24 undergraduate student, as determined by the coordinating board, not  
25 later than the 16th month after the date of the person's graduation  
26 from high school; or

27                           (B) an entering student for at least  
28 three-fourths of a full course load for an undergraduate student as  
29 determined by the coordinating board, not later than the 12th month  
30 after the month the person receives an associate degree from a  
31 public or private institution of higher education;

1 (6) have applied for any available financial aid or  
2 assistance; and

3 (7) comply with any additional nonacademic  
4 requirement adopted by the coordinating board under this  
5 subchapter.

6 (e-1) If a person is initially awarded a TEXAS grant during  
7 or after the 2005 fall semester, unless the person is provided  
8 additional time during which the person may receive a TEXAS grant  
9 under Subsection (e-2), the person's eligibility for a TEXAS grant  
10 ends on:

11 (1) the fifth anniversary of the initial award of a  
12 TEXAS grant to the person, if the person is enrolled in a degree [~~or~~  
13 ~~certificate~~] program of four years [~~or less~~]; or

14 (2) the sixth anniversary of the initial award of a  
15 TEXAS grant to the person, if the person is enrolled in a degree  
16 program of more than four years.

17 SECTION \_\_\_\_\_. Section 56.3041, Education Code, is amended to  
18 read as follows:

19 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM  
20 HIGH SCHOOL ON OR AFTER MAY 1, 2013[, AND ENROLLING IN A GENERAL  
21 ACADEMIC TEACHING INSTITUTION]. To [Notwithstanding Section  
22 56.304(a), ~~to~~] be eligible initially for a TEXAS grant, a person  
23 graduating from high school on or after May 1, 2013, and enrolling  
24 in an eligible [~~a general academic teaching~~] institution must:

25 (1) be a resident of this state as determined by  
26 coordinating board rules;

27 (2) meet the academic requirements prescribed by  
28 Paragraph (A), (B), [~~or~~] (C), or (D) as follows:

29 (A) be a graduate of a public or accredited  
30 private high school in this state who completed the recommended  
31 high school program established under Section 28.025 or its

1 equivalent and have accomplished any two or more of the following:

2 (i) graduation under the advanced high  
3 school program established under Section 28.025 or its equivalent,  
4 successful completion of the course requirements of the  
5 international baccalaureate diploma program, or earning of the  
6 equivalent of at least 12 semester credit hours of college credit in  
7 high school through courses described in Sections 28.009(a)(1),  
8 (2), and (3);

9 (ii) satisfaction of the Texas Success  
10 Initiative (TSI) college readiness benchmarks prescribed by the  
11 coordinating board under Section 51.3062(f) on any assessment  
12 instrument designated by the coordinating board under Section  
13 51.3062(c) [~~or (e)~~] or qualification for an exemption as described  
14 by Section 51.3062(p), (q), or (q-1);

15 (iii) graduation in the top one-third of  
16 the person's high school graduating class or graduation from high  
17 school with a grade point average of at least 3.0 on a four-point  
18 scale or the equivalent; or

19 (iv) completion for high school credit of  
20 at least one advanced mathematics course following the successful  
21 completion of an Algebra II course, as permitted by Section  
22 28.025(b-3), or at least one advanced career and technical course,  
23 as permitted by Section 28.025(b-2);

24 (B) have received an associate degree from a  
25 public or private institution of higher education; [~~or~~]

26 (C) be an undergraduate student who has:

27 (i) previously attended another  
28 institution of higher education;

29 (ii) received an initial Texas Educational  
30 Opportunity Grant under Subchapter P for the 2014 fall semester or a  
31 subsequent academic term;

1                    (iii) completed at least 24 semester credit  
2 hours at any institution or institutions of higher education; and  
3                    (iv) earned an overall grade point average  
4 of at least 2.5 on a four-point scale or the equivalent on all  
5 course work previously attempted; or  
6                    (D) if sufficient money is available, meet the  
7 eligibility criteria described by Section 56.304(a)(2)(A);  
8                    (3) meet financial need requirements established by  
9 the coordinating board;  
10                    (4) be enrolled in an undergraduate degree or  
11 certificate program at an eligible [~~the general academic teaching~~]  
12 institution;  
13                    (5) except as provided under rules adopted under  
14 Section 56.304(h), be enrolled as:  
15                    (A) an entering undergraduate student for at  
16 least three-fourths of a full course load, as determined by the  
17 coordinating board, not later than the 16th month after the  
18 calendar month in which the person graduated from high school;  
19                    (B) an entering undergraduate student who  
20 entered military service not later than the first anniversary of  
21 the date the person graduated from high school and who enrolled for  
22 at least three-fourths of a full course load, as determined by the  
23 coordinating board, at the eligible [~~general academic teaching~~]  
24 institution not later than 12 months after being honorably  
25 discharged from military service; [~~or~~]  
26                    (C) a continuing undergraduate student for at  
27 least three-fourths of a full course load, as determined by the  
28 coordinating board, not later than the 12th month after the  
29 calendar month in which the person received an associate degree  
30 from a public or private institution of higher education; or  
31                    (D) an undergraduate student described by

1 Subdivision (2)(C) who has never previously received a TEXAS grant;

2 (6) have applied for any available financial aid or  
3 assistance; and

4 (7) comply with any additional nonacademic  
5 requirements adopted by the coordinating board under this  
6 subchapter.

7 SECTION \_\_\_\_\_. Sections 56.3042(b) and (d), Education Code,  
8 are amended to read as follows:

9 (b) The coordinating board or the eligible institution may  
10 require the student to forgo or repay the amount of an initial TEXAS  
11 grant awarded to the student as described by Subsection (a) or (a-1)  
12 if the student fails to meet the eligibility requirements described  
13 by Subsection (a) or (a-1) [~~of Section 56.304(a)(2)(A),~~  
14 ~~56.3041(2)(A), 56.304(a)(2)(B), or 56.3041(2)(B)~~], as applicable  
15 to the student, after the issuance of the available high school or  
16 college transcript.

17 (d) A person who receives an initial TEXAS grant under  
18 Subsection (a) or (a-1) but does not satisfy the applicable  
19 eligibility requirement that the person was considered to have  
20 satisfied under the applicable subsection and who is not required  
21 to forgo or repay the amount of the grant under Subsection (b) may  
22 become eligible to receive a subsequent TEXAS grant under Section  
23 56.305 only by satisfying the associate degree requirement  
24 prescribed by Section 56.304(a)(2)(B) or 56.3041(2)(B), as  
25 applicable to the person, in addition to the requirements of  
26 Section 56.305 at the time the person applies for the subsequent  
27 grant.

28 SECTION \_\_\_\_\_. Section 56.305(a), Education Code, is amended  
29 to read as follows:

30 (a) After initially qualifying for a TEXAS grant, a person  
31 may continue to receive a TEXAS grant during each semester or term

1 in which the person is enrolled at an eligible institution only if  
2 the person:

3 (1) meets financial need requirements as defined by  
4 the coordinating board;

5 (2) is enrolled in a baccalaureate ~~[an undergraduate]~~  
6 degree ~~[or certificate]~~ program at an eligible institution;

7 (3) is enrolled for at least three-fourths of a full  
8 course load for an undergraduate student, as determined by the  
9 coordinating board;

10 (4) makes satisfactory academic progress toward a  
11 baccalaureate ~~[an undergraduate]~~ degree ~~[or certificate]~~; and

12 (5) complies with any additional nonacademic  
13 requirement adopted by the coordinating board.

14 SECTION \_\_\_\_\_. Section 56.306, Education Code, is amended to  
15 read as follows:

16 Sec. 56.306. GRANT USE. A person receiving a TEXAS grant  
17 may use the money to pay any usual and customary cost of attendance  
18 at an eligible institution ~~[of higher education]~~ incurred by the  
19 student. The institution may disburse all or part of the proceeds  
20 of a TEXAS grant directly to an eligible person only if the tuition  
21 and required fees incurred by the person at the institution have  
22 been paid.

23 SECTION \_\_\_\_\_. Section 56.307, Education Code, is amended by  
24 amending Subsections (a), (d-1), and (i) and adding Subsection (b)  
25 to read as follows:

26 (a) Except as provided by Subsection (b), the ~~[The]~~ amount  
27 of a TEXAS grant for a semester or term for a person enrolled  
28 full-time at an eligible institution ~~[other than an institution~~  
29 ~~covered by Subsection (c) or (d)]~~ is an ~~[the]~~ amount determined by  
30 the coordinating board as the average statewide amount of tuition,  
31 ~~[and]~~ required fees, and allowance for course materials that a

1 resident student enrolled full-time in a baccalaureate degree  
2 program would be charged for that semester or term at general  
3 academic teaching institutions.

4 (b) An eligible institution may award a TEXAS grant to an  
5 eligible student for a semester or term in an amount that is less  
6 than the amount determined by the coordinating board under  
7 Subsection (a).

8 (d-1) The coordinating board shall determine the average  
9 statewide tuition, ~~and~~ fee amounts, and allowance for course  
10 materials for a semester or term of the next academic year for  
11 purposes of this section by using the amounts of tuition and  
12 required fees that will be charged by the ~~applicable~~ eligible  
13 institutions for that semester or term in that academic year. The  
14 board may estimate the amount of the charges for a semester or term  
15 in the next academic year by an institution if the relevant  
16 information is not yet available to the board.

17 (i) A public institution of higher education may not [+]

18 ~~[(1) unless the institution complies with Subsection~~  
19 ~~(j), charge a person attending the institution who also receives a~~  
20 ~~TEXAS grant an amount of tuition and required fees in excess of the~~  
21 ~~amount of the TEXAS grant received by the person; or~~

22 ~~[(2)]~~ deny admission to or enrollment in the  
23 institution based on a person's eligibility to receive a TEXAS  
24 grant or a person's receipt of a TEXAS grant.

25 SECTION \_\_\_\_\_. (a) The change in law made by this Act to  
26 Subchapter M, Chapter 56, Education Code, applies beginning with  
27 TEXAS grants awarded for the 2014 fall semester. Grants awarded for  
28 a semester or term before the 2014 fall semester are governed by the  
29 applicable law in effect immediately before the effective date of  
30 this Act, and the former law is continued in effect for that  
31 purpose.

1           (b) Notwithstanding Subsection (a) of this section, a  
2 student who first receives a TEXAS grant for attendance at a public  
3 junior college, public state college, or public technical institute  
4 for a semester or other academic term before the 2014 fall semester  
5 may continue to receive a TEXAS grant under Subchapter M, Chapter  
6 56, Education Code, as that subchapter existed immediately before  
7 the effective date of this Act, as long as the student remains  
8 eligible for a TEXAS grant under the former law, and, if eligible,  
9 may continue to receive a TEXAS grant if the student enrolls at an  
10 eligible institution under Subchapter M, Chapter 56, Education  
11 Code, as amended by this Act. The Texas Higher Education  
12 Coordinating Board shall adopt rules to administer this subsection  
13 and shall notify each student who receives a TEXAS grant in the  
14 2013-2014 academic year of the provisions of this subsection.

15           (2) Add the following appropriately numbered subdivision at  
16 the end of page 36:

17           ( ) Sections 56.307(c), (d), (e), (f), (i-1), (j), and  
18 (1);

19           (3) In SECTION 41 of the bill (page 36, line 19, through page  
20 37, line 11), renumber the subdivisions as appropriate.





13 MAY 13 PM 5: 4  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

*Donna Howard*

- 1 Amend C.S.S.B. No. 215 (house committee printing) on page 36,
- 2 line 22, by striking "J,".



HOUSE OF REPRESENTATIVES  
COMMITTEE ON EDUCATION

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

*Matt Krause*

Amend C.S.S.B. No. 215 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter G, Chapter 51, Education Code, is amended by adding Section 51.360 to read as follows:

Sec. 51.360 DUTY OF TEXAS HIGHER EDUCATION COORDINATING BOARD TO PROTECT DIVERSITY OF THOUGHT AND FREEDOM OF SPEECH (a) It is the policy of this state, and the duty of the Texas Higher Education Coordinating Board, working in conjunction with governing boards, system administrations, and institutions, to promote diversity of thought and the marketplace of ideas on the campuses of institutions of higher education in this state, including by:

(1) protecting the rights of freedom of speech and freedom of association guaranteed by the constitutions of the United States and of this state so that all students of those institutions may assemble peaceably for a specific stated purpose and goal; and

(2) ensuring that those rights are not unnecessarily restricted or impeded by rules or policies adopted by those institutions.

(b) The Texas Higher Education Coordinating Board, working in conjunction with governing boards, system administrations, and institutions, shall ensure that each institution does not implement a policy or otherwise engage in a practice that requires a student organization, including a religious student organization, to accept for membership in the organization a student:

(1) who demonstrates opposition to the organization's

stated beliefs and purposes; or

(2) whose membership in the organization:

(A) would affect in a significant way the organization's ability to advocate public or private viewpoints; or

(B) is designed for the subversive intent of undermining the organization's ability to assemble for its stated purposes.



831759

2 MAY 14 11 01 AM  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

*Fryon D. Lewis*

Amend S.B. No. 215 in SECTION 18 of the bill to add a new Subsection (h) to amended Section 61.0512, Education Code, to read as follows:

(h) The board may not consider undergraduate graduation or persistence rates in the criteria for approval of doctoral programs.



13 MAY 14 AM 10:01  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

*James Phillips*

1 Amend C.S.S.B. No. 215 (house committee printing) by adding  
2 the following appropriately numbered SECTION to the bill and  
3 renumbering the remaining SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 205.03(j), Alcoholic Beverage Code,  
5 is amended to read as follows:

6 (j) If the amount available for a fiscal year under  
7 Subsections (b)(1) and (2) exceeds the amount that may be  
8 appropriated under Subsections (c)-(g), the lesser of the amount  
9 remaining under Subsections (b)(1) and (2) or \$50,000 shall ~~[may]~~  
10 be appropriated only for distribution to the Texas Higher Education  
11 Coordinating Board to fund the associate degree program at the T. V.  
12 Munson Viticulture and Enology Center at Grayson Community College  
13 at the direction of the board of trustees of the community college  
14 ~~[to fund the associate degree program at the center]~~. No money may  
15 be appropriated under any other provision of this section in any  
16 fiscal year if the maximum available amount required to be  
17 appropriated under this subsection is not appropriated.



831758

12 MAY 14 PM 4:11  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Mike Villanueva*

Amend C.S.S.B. No. 215 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 56.304(a), Education Code, is amended to read as follows:

(a) To be eligible initially for a TEXAS grant, a person who graduated from high school before May 1, 2013, must:

(1) be a resident of this state as determined by coordinating board rules;

(2) meet one ~~[either]~~ of the following academic requirements:

(A) be a graduate of a public or accredited private high school in this state who graduated not earlier than the 1998-1999 school year and who completed the recommended or advanced high school curriculum established under Section 28.002 or 28.025 or its equivalent; ~~[or]~~

(B) have received an associate degree from a public or private institution of higher education not earlier than May 1, 2001; or

(C) be an undergraduate student who has:

(i) previously attended another institution of higher education;

(ii) completed at least 24 semester credit hours at any institution or institutions of higher education; and

(iii) earned an overall grade point average of at least 2.5 on a four-point scale or the equivalent on all course work previously attempted;

(3) meet financial need requirements as defined by the coordinating board;

(4) be enrolled in an undergraduate degree or certificate program at an eligible institution;

(5) be enrolled as:

(A) an entering undergraduate student for at least three-fourths of a full course load for an entering undergraduate student, as determined by the coordinating board, not later than the 16th month after the date of the person's graduation from high school; or

(B) an entering student for at least three-fourths of a full course load for an undergraduate student as determined by the coordinating board, not later than the 12th month after the month the person receives an associate degree from a public or private institution of higher education;

(6) have applied for any available financial aid or assistance; and

(7) comply with any additional nonacademic requirement adopted by the coordinating board under this subchapter.

SECTION 3. Section 56.3041, Education Code, is amended to read as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL ACADEMIC TEACHING INSTITUTION. To ~~[Notwithstanding Section 56.304(a), to]~~ be eligible initially for a TEXAS grant, a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution must:

(1) be a resident of this state as determined by coordinating board rules;

(2) meet the academic requirements prescribed by Paragraph (A), (B), ~~or~~ (C), or (D) as follows:

(A) be a graduate of a public or accredited private high school in this state who completed the recommended high school program established under Section 28.025 or its equivalent and have accomplished any two or more of the following:

(i) graduation under the advanced high school program established under Section 28.025 or its equivalent, successful completion of the course requirements of the international baccalaureate diploma program, or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Sections 28.009(a)(1), (2), and (3);

(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the coordinating board under Section 51.3062(f) on any assessment instrument designated by the coordinating board under Section 51.3062(c) ~~or (e)~~ or qualification for an exemption as described by Section 51.3062(p), (q), or (q-1);

(iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or

(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, as permitted by Section 28.025(b-3), or at least one advanced career and technical course, as permitted by Section 28.025(b-2);

(B) have received an associate degree from a public



or private institution of higher education; ~~[or]~~

(C) be an undergraduate student who has:

(i) previously attended another institution of higher education;

(ii) completed at least 24 semester credit hours at any institution or institutions of higher education; and

(iii) earned an overall grade point average of at least 2.5 on a four-point scale or the equivalent on all course work previously attempted; or

(D) if sufficient money is available, meet the eligibility criteria adopted by the coordinating board ~~[described by Section 56.304(a)(2)(A)]~~;

(3) meet financial need requirements established by the coordinating board;

(4) be enrolled in an undergraduate degree or certificate program at the general academic teaching institution;

(5) except as provided under rules adopted under Section 56.304(h), be enrolled as:

(A) an entering undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 16th month after the calendar month in which the person graduated from high school;

(B) an entering undergraduate student who entered military service not later than the first anniversary of the date the person graduated from high school and who enrolled for at least three-fourths of a full course load, as determined by the coordinating board, at the general academic teaching institution not later than 12 months after being honorably discharged from military service; ~~[or]~~

(C) an [~~a continuing~~] undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 12th month after the calendar month in which the person received an associate degree from a public or private institution of higher education; or

(D) an undergraduate student described by Subdivision (2)(C) who has never previously received a TEXAS grant;

(6) have applied for any available financial aid or assistance; and

(7) comply with any additional nonacademic requirements adopted by the coordinating board under this subchapter.

SECTION \_\_\_\_ . This Act applies beginning with grants awarded for the 2015-2016 academic year, but does not affect the amount of or entitlement to any grant awarded before the effective date of this Act.



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: *Mike Villanueva*

1 Amend C.S.S.B. No. 215 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter C, Chapter 61, Education Code, is  
5 amended by adding Section 61.0907 to read as follows:

6 Sec. 61.0907. STUDY REGARDING THE EFFECT OF RECEIVING GRANT  
7 AID ON PARTICIPATION AND SUCCESS IN HIGHER EDUCATION. (a) The  
8 board shall implement a study that employs randomized controlled  
9 trials with institutions of higher education to determine the  
10 effect on the participation, persistence, and graduation rates of  
11 students who receive grant aid.

12 (b) The purpose of the study is to determine:

13 (1) the influence of an award of grant aid on the  
14 enrollment decisions of students from Texas public high schools;

15 (2) the extent to which student responses to grant aid  
16 change at different levels of student progress through the higher  
17 education system; and

18 (3) the extent to which student responses to grant aid  
19 differ under similar circumstances.

20 (c) The board shall use the results of the study to:

21 (1) validate quasi-experimental methods used by the  
22 board to collect the same type of data for accountability purposes;

23 (2) identify any additional required data elements to  
24 be regularly collected by the board in order to support the valid  
25 application of quasi-experimental methodology; and

26 (3) develop an easily searchable data application  
27 based on the validated quasi-experimental methods that may be used  
28 to estimate the results of student participation, persistence, and  
29 graduation as a function of an award of grant aid.

1       (d) A student who participates in the study established by  
2 this section is not subject to Sections 56.307(f), (i)(1), and (j).

3       (e) Notwithstanding any other provision of this code, the  
4 maximum grant award for a student who participates in the study  
5 established by this section is the amount determined by the board as  
6 the average statewide amount of tuition, required fees, and cost of  
7 instructional materials for a resident student enrolled full-time  
8 in a baccalaureate degree program.



10 MAY 14 2011  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Mike Villanueva*

1 Amend C.S.S.B. No. 215 (house committee report) by adding the  
2 following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 56.305(a), Education Code, is amended  
5 to read as follows:

6 (a) After initially qualifying for a TEXAS grant, a person  
7 may continue to receive a TEXAS grant during each semester or term  
8 in which the person is enrolled at an eligible institution only if  
9 the person:

10 (1) meets financial need requirements as defined by  
11 the coordinating board;

12 (2) is enrolled in an undergraduate degree or  
13 certificate program at an eligible institution;

14 (3) is enrolled for at least three-fourths of a full  
15 course load for an undergraduate student, as determined by the  
16 coordinating board;

17 (4) makes satisfactory academic progress toward an  
18 undergraduate degree or certificate;

19 (5) if applicable under Section 56.3055, participates  
20 in a student engagement program as required by that section; and

21 (6) [~~45~~] complies with any additional nonacademic  
22 requirement adopted by the coordinating board.

23 SECTION \_\_\_\_\_. Subchapter M, Chapter 56, Education Code, is  
24 amended by adding Section 56.3055 to read as follows:

25 Sec. 56.3055. ADDITIONAL CONTINUING ELIGIBILITY  
26 REQUIREMENT: STUDENT ENGAGEMENT PROGRAM. (a) Each person who  
27 enrolls as an entering undergraduate student at a general academic  
28 teaching institution and receives a TEXAS grant from that  
29 institution must participate in a student engagement program

sponsored by the institution and selected for the person by the institution. Subject to Subsection (e), the person must complete the program during the person's first academic year at the institution.

(b) Before each academic year begins, a general academic teaching institution awarding TEXAS grants shall:

(1) develop one or more student engagement programs designed to increase student persistence, retention, and graduation rates; and

(2) determine the degree of program participation necessary for a grant recipient to satisfy Subsection (a) and the manner in which to document that participation.

(c) Not later than the seventh class day of the fall semester, the institution shall communicate to each applicable grant recipient information regarding the program or programs developed by the institution under Subsection (b) and the manner in which the recipient may satisfy the requirements of this section.

(d) A student engagement program may be operated through any appropriate means, including:

(1) mentoring activity;

(2) a small group seminar or other learning community;

or

(3) an undergraduate research project.

(e) The coordinating board may adopt rules to administer this section, including a rule to allow a person to receive a TEXAS grant without participating in a student engagement program or after delaying that participation if the person is able to show hardship or other good cause that affects the person's ability to satisfy the requirements of this section. For purposes of this subsection, hardship or other good cause includes a severe illness or other debilitating condition, responsibility for the care of a

1 sick, injured, or needy person, or active duty or other service in  
2 the United States armed forces.

3 (f) In adopting rules under Subsection (e), the  
4 coordinating board shall appoint and consult with an advisory  
5 committee composed of institutional business officers, financial  
6 aid administrators, recognized student engagement experts, student  
7 engagement program administrators, and undergraduate students.

8 (g) This section does not apply to a person who first  
9 receives a TEXAS grant for a semester or term before the 2014 fall  
10 semester. This subsection expires December 31, 2019.

11 SECTION \_\_\_\_\_. The change in law made by this Act to  
12 Subchapter M, Chapter 56, Education Code, applies beginning with  
13 grants awarded for the 2014-2015 academic year, but does not affect  
14 the amount of or entitlement to any grant awarded before the  
15 effective date of this Act.



*William W. Keller*  
BY: \_\_\_\_\_

FLOOR AMENDMENT NO. \_\_\_\_\_ 13 MAY 14 PM 9:11

*Amend SB215 by*

HOUSE OF REPRESENTATIVES

1 SECTION \_\_\_\_ Subtitle H, Title 3, Education Code, is  
2 amended by adding Chapter 156 to read as follows:

3 CHAPTER 156. ADULT STEM CELL RESEARCH PROGRAM

4 Sec. 156.001. DEFINITIONS. In this chapter:

5 (1) "Adult stem cell" means an undifferentiated cell  
6 that is:

7 (A) found in differentiated tissue; and

8 (B) able to renew itself and differentiate to  
9 yield all or nearly all of the specialized cell types of the  
10 tissue from which the cell originated.

11 (2) "Consortium" means the Texas Adult Stem Cell  
12 Research Consortium.

13 (3) "Institution of higher education" means an  
14 institution of higher education as defined by Section 61.003 or  
15 a private college or university that receives state funds.

16 (4) "Program" means the adult stem cell research  
17 program established under this chapter.

18 (5) "Research coordinating board" means the Texas  
19 Adult Stem Cell Research Coordinating Board.

20 Sec. 156.002. COMPOSITION OF RESEARCH COORDINATING BOARD.

21 (a) The Texas Adult Stem Cell Research Coordinating Board is  
22 composed of seven members appointed as follows:

23 (1) three members who are interested persons,  
24 including at least one person who represents an institution of  
25 higher education, appointed by the governor;

26 (2) two members who are interested persons appointed  
27 by the lieutenant governor; and

28 (3) two members who are interested persons appointed  
29 by the speaker of the house of representatives.



1       **(b) The governor shall designate as the presiding officer**  
2 **of the research coordinating board a board member appointed**  
3 **under Subsection (a)(1) who represents an institution of higher**  
4 **education. The presiding officer serves in that capacity at the**  
5 **will of the governor.**

6       **(c) The members of the research coordinating board serve**  
7 **staggered six-year terms. If a vacancy occurs on the board, the**  
8 **appropriate appointing authority shall appoint, in the same**  
9 **manner as the original appointment, another person to serve for**  
10 **the remainder of the unexpired term.**

11       **Sec. 156.003. CONFLICT OF INTEREST. (a) In this section,**  
12 **"Texas trade association" means a cooperative and voluntarily**  
13 **joined association of business or professional competitors in**  
14 **this state designed to assist its members and its industry or**  
15 **profession in dealing with mutual business or professional**  
16 **problems and in promoting their common interest.**

17       **(b) A person may not be a member of the research**  
18 **coordinating board if:**

19               **(1) the person is an officer, employee, or paid**  
20 **consultant of a Texas trade association in the field of**  
21 **medicine;**

22               **(2) the person's spouse is an officer, manager, or**  
23 **paid consultant of a Texas trade association in the field of**  
24 **medicine; or**

25               **(3) the person is a member of the Texas Higher**  
26 **Education Coordinating Board.**

27       **(c) A person may not be a member of the research**  
28 **coordinating board if the person is required to register as a**  
29 **lobbyist under Chapter 305, Government Code, because of the**  
30 **person's activities for compensation on behalf of a profession**  
31 **related to the operation of the board.**

1       Sec. 156.004. COMPOSITION OF CONSORTIUM. (a) The  
2 research coordinating board shall establish the Texas Adult Stem  
3 Cell Research Consortium.

4       (b) The consortium is composed of participating  
5 institutions of higher education and businesses that:

6           (1) accept public money for adult stem cell research;  
7 or

8           (2) otherwise agree to participate in the consortium.

9       Sec. 156.005. ADMINISTRATION OF PROGRAM; GUIDELINES AND  
10 PROCEDURES. (a) The research coordinating board shall  
11 administer the program to:

12           (1) make grants, investments, and loans to consortium  
13 members for:

14           (A) adult stem cell research activities and  
15 projects including but not limited to: pre-clinical trials and  
16 studies, treatment protocol development, state and/or regulatory  
17 submissions including FDA Investigational New Drug Applications  
18 and approvals, clinical trials including the use of Contract  
19 Research Organizations, Data Safety Monitoring Boards,  
20 intellectual property development; pathways and processes to  
21 commercialization as well as to address the collection;  
22 development; cGMP manufacturing; characterization and use of  
23 adult stem cells;

24           (B) the development of facilities to be used  
25 solely for adult stem cell research projects or for the cGMP  
26 manufacturing of adult stem cell and related projects; and

27           (C) the commercialization of products or  
28 technology involving adult stem cell research and treatments;

29           (2) support consortium members in all stages of the  
30 process of developing treatments and cures based on adult stem  
31 cell research, beginning with initial laboratory research

1 through successful cGMP manufacturing and clinical trials;

2 (3) establish appropriate regulatory standards and  
3 oversight bodies for:

4 (A) adult stem cell research conducted by  
5 consortium members; and

6 (B) the development of facilities for consortium  
7 members conducting adult stem cell research and cGMP  
8 manufacturing; and

9 (4) assist consortium members in applying for grants,  
10 investments, or loans under the program.

11 (b) The research coordinating board shall develop research  
12 priorities, guidelines, and procedures for providing grants,  
13 investments, and loans for specific research projects conducted  
14 by consortium members. The priorities, guidelines, and  
15 procedures must require the grants and loans to be made on a  
16 competitive, peer review basis.

17 Sec. 156.006. FUNDING. The program may only be funded by  
18 gifts, grants, investments, and donations described by Section  
19 156.007.

20 Sec. 156.007. GIFTS, GRANTS, AND DONATIONS. The  
21 consortium shall solicit, and the research coordinating board  
22 may accept on behalf of the consortium, a gift, grant, or  
23 donation made from any public or private source for the purpose  
24 of promoting adult stem cell research or commercialization.

25 Sec. 156.008. BIENNIAL REPORT. Not later than September 1  
26 of each even-numbered year, the research coordinating board  
27 shall submit a report of the board's activities and  
28 recommendations to the Texas Higher Education Coordinating Board  
29 and to the governor, the lieutenant governor, the speaker of the  
30 house of representatives, and the presiding officer of each  
31 legislative standing committee or subcommittee with jurisdiction

1 over higher education.

2 SECTION\_\_\_\_. Section 162.001, Health and Safety Code, is  
3 amended by adding Subdivision (4) to read as follows:

4 (4) "Adult stem cell" means an undifferentiated cell  
5 that is:

6 (A) found in differentiated tissue; and

7 (B) able to renew itself and differentiate to  
8 yield all or nearly all of the specialized cell types of the  
9 tissue from which the cell originated.

10 SECTION\_\_\_\_. Chapter 162, Health and Safety Code, is  
11 amended by adding Section 162.020 to read as follows:

12 Sec. 162.020. ADULT STEM CELL COLLECTION. Blood obtained  
13 by a blood bank may be used for the collection of adult stem  
14 cells if the donor consents in writing to that use.

15 SECTION\_\_\_\_. Section 241.003, Health and Safety Code, is  
16 amended by amending Subdivision (1) and adding Subdivision (1-a)  
17 to read as follows:

18 (1) "Adult stem cell" has the meaning assigned by  
19 Section 162.001.

20 (1-a) "Advanced practice nurse" means a registered  
21 nurse recognized as an advanced practice nurse by the Texas  
22 Board of Nursing.

23 SECTION\_\_\_\_. Subchapter A, Chapter 241, Health and Safety  
24 Code, is amended by adding Section 241.009 to read as follows:

25 Sec. 241.009. USE OF ADULT STEM CELLS. A hospital may use  
26 adult stem cells in a procedure if a physician providing  
27 services at the hospital determines that the use of adult stem  
28 cells in the procedure is appropriate and the patient consents  
29 in writing to the use.

30 SECTION\_\_\_\_. (a) As soon as practicable after the  
31 effective date of this Act, the governor, lieutenant governor,

1 and speaker of the house of representatives shall appoint  
2 members to the Texas Adult Stem Cell Research Coordinating  
3 Board, as required by Section 156.002, Education Code, as added  
4 by this Act, as follows:

5 (1) the governor shall appoint one member to a term  
6 expiring February 1, 2015, one member to a term expiring  
7 February 1, 2017, and one member to a term expiring February 1,  
8 2019;

9 (2) the lieutenant governor shall appoint one member  
10 to a term expiring February 1, 2017, and one member to a term  
11 expiring February 1, 2019; and

12 (3) the speaker of the house of representatives shall  
13 appoint one member to a term expiring February 1, 2017, and one  
14 member to a term expiring February 1, 2019.

15 (b) Not later than September 1, 2014, the Texas Adult Stem  
16 Cell Research Coordinating Board shall submit the first report  
17 of the board's activities and recommendations as required by  
18 Chapter 156, Education Code, as added by this Act.



FLOOR AMENDMENT NO. \_\_\_\_\_

13 MAY 14 AM 11:11

BY:

*John M. Anderson*

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 215 (house committee printing) by adding  
2 the following appropriately numbered SECTION to the bill and by  
3 renumbering existing SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 61.306, Education Code, is amended by  
5 adding Subsection (c) to read as follows:

6 (c) The board may not issue a certificate of authority for  
7 a private postsecondary institution to grant a professional  
8 degree or to represent that credits earned in this state are  
9 applicable towards a degree if the institution is chartered in a  
10 foreign country or has its principal office or primary  
11 educational program in a foreign country. In this section,  
12 "professional degree" includes a Doctor of Medicine (M.D.),  
13 Doctor of Osteopathy (D.O.), Doctor of Dental Surgery (D.D.S.),  
14 Doctor of Veterinary Medicine (D.V.M.), Juris Doctor (J.D.), and  
15 Bachelor of Laws (LL.B.).