

1-1 By: Gattis, et al. (Senate Sponsor - Ogden) H.B. No. 3452  
1-2 (In the Senate - Received from the House May 14, 2009;  
1-3 May 15, 2009, read first time and referred to Committee on Veteran  
1-4 Affairs and Military Installations; May 22, 2009, reported  
1-5 adversely, with favorable Committee Substitute by the following  
1-6 vote: Yeas 4, Nays 0; May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3452 By: Davis

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the establishment of the Texas Armed Services  
1-11 Scholarship.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 61, Education Code, is amended by adding  
1-14 Subchapter FF to read as follows:

1-15 SUBCHAPTER FF. TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

1-16 Sec. 61.9771. SCHOLARSHIP PROGRAM; SCHOLARSHIP AMOUNT. The  
1-17 board shall establish and administer, in accordance with this  
1-18 subchapter and board rules, the Texas Armed Services Scholarship  
1-19 Program under which the board provides an annual conditional  
1-20 scholarship of \$5,000 to a student who meets the eligibility  
1-21 criteria prescribed by Section 61.9772 and is appointed to receive  
1-22 a scholarship.

1-23 Sec. 61.9772. ELIGIBILITY; NOMINATION AND SELECTION. (a)  
1-24 To receive an initial scholarship under this subchapter, a student  
1-25 must:

1-26 (1) be enrolled as a freshman in a public or private  
1-27 institution of higher education in this state;

1-28 (2) enroll in and be a member in good standing of a  
1-29 Reserve Officers' Training Corps (ROTC) program while enrolled in a  
1-30 public or private institution of higher education in this state;

1-31 (3) be appointed to receive a scholarship by the  
1-32 governor, the lieutenant governor, a state senator, or a state  
1-33 representative; and

1-34 (4) enter into an agreement with the board under  
1-35 Section 61.9773.

1-36 (b) In each year, the governor and the lieutenant governor  
1-37 may each appoint two students and each state senator and each state  
1-38 representative may appoint one student to receive an initial  
1-39 scholarship under this subchapter.

1-40 (c) For a student to continue to receive a scholarship  
1-41 awarded under this subchapter, the student must maintain  
1-42 satisfactory academic progress as determined by the institution in  
1-43 which the student is enrolled.

1-44 Sec. 61.9773. AGREEMENT REQUIREMENTS. (a) To receive a  
1-45 scholarship under this subchapter, a student must enter into an  
1-46 agreement with the board as provided by this section. The agreement  
1-47 must require the student to:

1-48 (1) complete four years of ROTC training;

1-49 (2) graduate not later than five years after the date  
1-50 the student first enrolls in a public or private institution of  
1-51 higher education in this state;

1-52 (3) after graduation, enter into:

1-53 (A) a four-year commitment to be a member of the  
1-54 Texas State Guard or the Texas Army or Air Force National Guard; or

1-55 (B) a contract to serve as a commissioned officer  
1-56 in any branch of the armed services of the United States;

1-57 (4) meet the physical examination requirements and all  
1-58 other prescreening requirements of the Texas State Guard, the Texas  
1-59 Army or Air Force National Guard, or the branch of the armed  
1-60 services with which the student enters into a contract; and

1-61 (5) agree to repay the scholarship if the student:

1-62 (A) fails to maintain satisfactory academic  
1-63 progress;

2-1 (B) withdraws from the scholarship program; or  
2-2 (C) fails to fulfill a commitment or contract  
2-3 described by Subdivision (3).

2-4 (b) The board shall adopt rules to exempt a student from the  
2-5 repayment of a scholarship under an agreement entered into under  
2-6 this section if the student is unable to meet the obligations of the  
2-7 agreement solely as a result of physical inability.

2-8 Sec. 61.9774. RULES. (a) The board shall adopt rules as  
2-9 necessary for the administration of this subchapter, including  
2-10 rules regarding the eligibility criteria and the selection of  
2-11 scholarship recipients.

2-12 (b) The board by rule shall provide that any amount paid to a  
2-13 student by a branch of the armed services of the United States  
2-14 during an academic year for which the student receives a  
2-15 scholarship under this subchapter because the student is under a  
2-16 contract with that branch shall be deducted from the amount of the  
2-17 scholarship awarded to the student for that academic year.

2-18 Sec. 61.9775. LIMITATION ON SCHOLARSHIP. A person may not  
2-19 receive a scholarship under this subchapter after earning a  
2-20 cumulative total of 150 credit hours or after being awarded a  
2-21 baccalaureate degree, whichever occurs first.

2-22 Sec. 61.9776. FUNDING. The board shall administer this  
2-23 subchapter using available appropriations and gifts, grants, and  
2-24 donations made for the purposes of this subchapter.

2-25 SECTION 2. The Texas Higher Education Coordinating Board  
2-26 shall award scholarships under Subchapter FF, Chapter 61, Education  
2-27 Code, as added by this Act, beginning with the 2010-2011 academic  
2-28 year. The coordinating board shall adopt the rules required by that  
2-29 subchapter as soon as practicable after this Act takes effect.

2-30 SECTION 3. This Act does not make an appropriation. A  
2-31 provision in this Act that creates a new governmental program,  
2-32 creates a new entitlement, or imposes a new duty on a governmental  
2-33 entity is not mandatory during a fiscal period for which the  
2-34 legislature has not made a specific appropriation to implement the  
2-35 provision.

2-36 SECTION 4. This Act takes effect September 1, 2009.

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