

CHAPTER 435

H.B. No. 1356

AN ACT

relating to exempting certain persons from tuition, fees, and charges at public institutions of higher education.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 54.203(a), Education Code, is amended to read as follows:

(a) The governing board of each institution of higher education shall exempt the following persons from the payment of all dues, fees, and charges, including fees for correspondence courses but excluding property deposit fees, student services fees, and any fees or charges for lodging, board, or clothing, provided the persons seeking the exemptions *demonstrate financial need as defined by the Texas Higher Education Coordinating Board*, were citizens of Texas at the time they entered the services indicated, and have resided in Texas for at least the period of 12 months before the date of registration:

(1) all nurses and honorably discharged members of the armed forces of the United States who served during the Spanish-American War or during World War I;

(2) all nurses, members of the Women's Army Auxiliary Corps, members of the Women's Auxiliary Volunteer Emergency Service, and all honorably discharged members of the armed forces of the United States who served during World War II except those who were discharged from service because they were over the age of 38 or because of a personal request on the part of the person that he be discharged from service;

(3) all honorably discharged men and women of the armed forces of the United States who served during the national emergency which began on June 27, 1950, and which is referred to as the Korean War; and

(4) all persons who were honorably discharged from the armed forces of the United States after serving on active military duty, excluding training, for more than 180 days during the Cold War which began on the date of the termination of the national emergency cited in Subdivision (3) of this subsection.

SECTION 2. Section 54.203(b), Education Code, is amended to read as follows:

(b) The exemptions provided for in Subsection (a) of this section also apply and inure to the benefit of the children of members of the armed forces of the United States who *are or were* killed in action, *who die* or died while in service, *who are missing in action*, or *whose death is documented to be directly caused by illness or injury connected with service in the armed forces of the United States* [~~during World War II, the national emergency which began on June 27, 1950, or the Cold War~~], and to the benefit of orphans of members of the Texas National Guard and the Texas Air National Guard killed since January 1, 1946, while on active duty either in the service of their state or the United States. However, to qualify for this exemption a person must be a citizen of Texas, *must demonstrate financial need as defined by the Texas Higher Education Coordinating Board*, and must have resided in the state for at least 12 months immediately preceding the date of his registration.

SECTION 3. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.211 to read as follows:

*Sec. 54.211. EXEMPTIONS FOR STUDENTS IN FOSTER OR OTHER RESIDENTIAL CARE. A student is exempt from the payment of tuition and fees authorized in this chapter if the student:*

(1) *was in foster care or other residential care under the conservatorship of the Department of Protective and Regulatory Services on or after the day preceding the student's 18th birthday; and*

(2) *enrolls in an institution of higher education as an undergraduate student not later than the third anniversary of the date the student was discharged from the foster or other residential care.*

SECTION 4. This Act applies to tuition, fees, and charges beginning with the fall semester 1993.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 20, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 1356 on May 22, 1993: Yeas 124, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 14, 1993: Yeas 29, Nays 0.

Approved June 6, 1993.

Effective June 6, 1993.