

AN ACT

relating to scholarships for fifth-year accounting students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 901.155, Occupations Code, is amended to read as follows:

Sec. 901.155. SCHOLARSHIP TRUST FUND [~~ACCOUNT~~] FOR FIFTH-YEAR ACCOUNTING STUDENTS. (a) The fee for the issuance or renewal of a license under this chapter is the amount of the fee set by the board under Section 901.154 together with the fee increase imposed under Section 901.406 and an additional \$10 annual [~~\$20~~] fee to be deposited to the credit of the scholarship trust fund [~~account~~] for fifth-year accounting students [~~in the general revenue fund~~].

(b) The scholarship trust fund [~~account~~] for fifth-year accounting students is held by the board outside the state treasury and may be used only to:

(1) provide scholarships under Subchapter N[~~Chapter 61, Education Code~~] to accounting students in the fifth year of a program designed to qualify each student to apply for certification as a certified public accountant; and

(2) pay administrative costs under Subsection (c).

(c) The administrative costs incurred to collect the fee imposed under Subsection (a) and to disburse the money may not exceed 10 [~~15~~] percent of the total money collected[~~with 10~~]

1 ~~percent of the money allocated to the Texas Higher Education~~
2 ~~Coordinating Board and five percent of the money allocated to the~~
3 ~~board].~~

4 (d) Notwithstanding Section 404.071, Government Code,
5 interest earned on amounts in the scholarship trust fund [~~account~~]
6 for fifth-year accounting students shall be credited to that fund
7 [~~account~~].

8 SECTION 2. Subchapter N, Chapter 61, Education Code, is
9 transferred to Chapter 901, Occupations Code, designated as
10 Subchapter N, Chapter 901, Occupations Code, and amended to read as
11 follows:

12 SUBCHAPTER N. SCHOLARSHIPS FOR FIFTH-YEAR ACCOUNTING STUDENTS

13 Sec. 901.651 [~~61.751~~]. DEFINITION. In this subchapter,
14 "fifth-year accounting student" means a student enrolled in the
15 additional hours of study required by Section 901.254 [~~12(e)(2)(B),~~
16 ~~Public Accountancy Act of 1991 (Article 41a-1, Vernon's Texas Civil~~
17 ~~Statutes)]~~].

18 Sec. 901.652 [~~61.752~~]. PUBLIC PURPOSE. The scholarships
19 required by this subchapter serve a public purpose of the state as
20 described by Section 901.155 [~~32, Public Accountancy Act of 1991~~
21 ~~(Article 41a-1, Vernon's Texas Civil Statutes)]~~].

22 Sec. 901.653 [~~61.753~~]. SCHOLARSHIPS. The board shall
23 establish and administer, using funds collected and appropriated
24 for that purpose and in accordance with this subchapter and board
25 rules, scholarships for fifth-year accounting students.

26 Sec. 901.654 [~~61.754~~]. FACTORS. (a) Scholarships shall be
27 established and administered in a manner that the board determines

1 best serves the public purpose of the scholarships.

2 (b) In determining what best promotes the public purpose,
3 the board shall consider at a minimum the following factors
4 relating to each person applying for a scholarship under this
5 section:

- 6 (1) financial need;
- 7 (2) ethnic or racial minority status; and
- 8 (3) scholastic ability and performance.

9 Sec. 901.655 [~~61.755~~]. RULES. (a) The board shall adopt
10 rules as necessary for the administration of this subchapter.

11 (b) The board shall adopt rules relating to the
12 establishment of the scholarships under Section 901.653 [~~61.753 of~~
13 ~~this code~~], including rules providing eligibility criteria and the
14 determination of the amount of each scholarship.

15 Sec. 901.656 [~~61.756~~]. SCHOLARSHIP REGULATIONS. (a) The
16 board, in consultation with the advisory committee appointed under
17 Section 901.657 [~~61.757~~], shall determine the maximum amount of any
18 scholarship awarded under this subchapter. The scholarship may be
19 spent by the recipient on the expenses for tuition, fees, books,
20 supplies, and living expenses incurred by the student in connection
21 with the student's fifth year of an accounting program.
22 Scholarships shall be made available to eligible students
23 attending:

- 24 (1) any institution of higher education; or
- 25 (2) any nonprofit independent institution approved by
26 the Texas Higher Education Coordinating Board [~~board~~] under Section
27 61.222, Education Code.

1 (b) The board may award a scholarship under this subchapter
2 only to an eligible student who intends to take the written
3 examination conducted by the board [~~Texas State Board of Public~~
4 ~~Accountancy~~] for the purpose of granting a certificate of
5 "certified public accountant." An applicant for a scholarship
6 under this subchapter shall state such an intent by filing a form
7 provided by the board stating an intent to take the examination.

8 (c) A scholarship under this subchapter shall be paid to the
9 recipient in the form of periodic partial payments throughout the
10 school year. The board by rule shall determine the manner in which
11 these payments are made.

12 Sec. 901.657 [~~61.757~~]. ADVISORY COMMITTEE. (a) The board
13 shall appoint an eight-member advisory committee to advise the
14 board concerning scholarships provided under this subchapter. The
15 advisory committee consists of:

- 16 (1) a presiding officer named by the board;
- 17 (2) one representative named by the board [~~Texas State~~
18 ~~Board of Public Accountancy~~];
- 19 (3) one representative named by the Texas Society of
20 Certified Public Accountants;
- 21 (4) a Texas representative of the American Accounting
22 Association named by that organization;
- 23 (5) one representative named by the National
24 Association of Black Accountants;
- 25 (6) one representative named by the American
26 Association of Hispanic Certified Public Accountants; and
- 27 (7) two representatives named by the Texas Higher

1 Education Coordinating Board [~~board~~] who are the chairmen of
2 accounting departments at Texas colleges and universities, at least
3 one of whom must be a representative of a private college or
4 university and at least one other of whom must be a representative
5 from a college or university that primarily serves minority
6 students.

7 (b) The costs of participation on an advisory committee of a
8 member representing a particular organization or agency shall be
9 borne by that member of the organization or agency the member
10 represents.

11 (c) In addition to any other duties assigned by the board,
12 the advisory committee specifically shall advise the board on:

13 (1) how the scholarships provided for under this
14 subchapter should be established and administered to best promote
15 the public purpose of the scholarships;

16 (2) the amount of money needed to adequately fund the
17 scholarships and the maximum amount that may be awarded in any given
18 year to an individual student; and

19 (3) any priorities among the factors identified by
20 Section 901.654 [~~61.754~~].

21 Sec. 901.658 [~~61.758~~]. FUNDING. The board may:

22 (1) use without appropriation, in accordance with
23 Article 8930, Revised Statutes, this subchapter, and Section
24 901.155 [~~32, Public Accountancy Act of 1991 (Article 41a-1,~~
25 ~~Vernon's Texas Civil Statutes)~~], any money [~~appropriated to it~~]
26 from the trust fund established under Section 901.155 [~~by that~~
27 ~~section~~]; and

1 (2) accept gifts, grants, and donations of real or
2 personal property from any entity, subject to limitations or
3 conditions set by law, for the purposes of this subchapter.

4 Sec. 901.659 [~~61.760~~]. MINORITY AND DISADVANTAGED STUDENT
5 INTERNSHIPS. (a) The board shall adopt rules to encourage
6 internships for minority and disadvantaged students and certified
7 public accountant examination candidates who notify the board not
8 later than 90 days after the date of being accepted into an
9 accounting internship program.

10 (b) The rules adopted by the board shall include standards
11 for appropriate recognition of an accounting firm for its efforts
12 in training and hiring minority or disadvantaged students.

13 SECTION 3. Section 61.081, Education Code, is transferred
14 to Subchapter N, Chapter 901, Occupations Code, as added by this
15 Act, redesignated as Section 901.660, Occupations Code, and amended
16 to read as follows:

17 Sec. 901.660 [~~61.081~~]. REPORT ON ACCOUNTANT SCHOLARSHIP
18 PROGRAM. (a) Before January 15 of each odd-numbered year, the
19 board shall report to the legislature concerning the scholarship
20 program for fifth-year accounting students administered by the
21 board under [~~Subchapter N, Chapter 61, of~~] this subchapter [~~code~~].

22 (b) The report expenses shall be included in the
23 administrative costs allocated to the board under Section 901.155
24 [~~32(e) of this code~~]. The report must include:

25 (1) the number and amount of scholarships awarded in
26 the two calendar years preceding the year in which the report is
27 due; and

1 (2) the number of minority students, by racial or
2 ethnic background, who have been awarded scholarships under the
3 program in that two-year period.

4 SECTION 4. (a) Not later than January 1, 2010, the Texas
5 State Board of Public Accountancy shall adopt the rules required to
6 implement Subchapter N, Chapter 901, Occupations Code, as added by
7 this Act.

8 (b) On the effective date of this Act, the Texas Higher
9 Education Coordinating Board shall transfer to the Texas State
10 Board of Public Accountancy for deposit in the scholarship trust
11 fund established under Subchapter N, Chapter 901, Occupations Code,
12 as added by this Act, any money in the general revenue account
13 0106--scholarship fund for fifth year accounting students, and any
14 money appropriated to the Texas Higher Education Coordinating Board
15 for scholarships to fifth-year accounting students under
16 Subchapter N, Chapter 61, Education Code, as that subchapter
17 existed before the effective date of this Act, that has not been
18 allocated to institutions of higher education for making awards to
19 students during the 2009-2010 academic year under that scholarship
20 program.

21 SECTION 5. This Act takes effect September 1, 2009.

H.B. No. 2440

David Dewhurst
President of the Senate

Jim Strawn
Speaker of the House

I certify that H.B. No. 2440 was passed by the House on April 24, 2009, by the following vote: Yeas 134, Nays 4, 1 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2440 was passed by the Senate on May 14, 2009, by the following vote: Yeas 31, Nays 0.

Patsey Spaw
Secretary of the Senate

APPROVED: 23 MAY '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5PM O'CLOCK

MAY 23 2009
Debra Riddle
Secretary of State