

AN ACT

relating to the tuition charged for certain courses repeated by students attending public junior colleges and public technical institutes.

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

SECTION 1. Subchapter A, Chapter 130, Education Code, is amended by adding Section 130.0034 to read as follows:

Sec. 130.0034. TUITION FOR REPEATED COURSES. (a) The governing board of a public junior college district may charge a student a higher rate of tuition than the tuition that would otherwise be charged for a course in which the student enrolls if:

(1) the student has previously enrolled in the same course or a course of substantially the same content and level two or more times; and

(2) the student's enrollment in the course is not included in the contact hours used to determine the junior college's proportionate share of state appropriations under Section 130.003.

(b) This section does not apply to a non-degree-credit developmental course.

(c) The total amount of tuition charged to the student under this section for the repeated course may not exceed the full cost of instruction for the course with respect to the student.

SECTION 2. Section 135.52, Education Code, is amended to

1 read as follows:

2 Sec. 135.52. FEES AND TUITION. (a) The board shall collect
3 tuition at the rates provided by law and registration fees.

4 (b) The board may charge a student a higher rate of tuition
5 than the tuition that would otherwise be charged for a course in
6 which the student enrolls if:

7 (1) the student has previously enrolled in the same
8 course or a course of substantially the same content and level two
9 or more times; and

10 (2) the student's enrollment in the course is not
11 included in the contact hours used in the funding formulas
12 established under Section 61.059 for use in making appropriation
13 recommendations for the system.

14 (c) Subsection (b) does not apply to a non-degree-credit
15 developmental course.

16 (d) The total amount of tuition charged to the student under
17 Subsection (b) for the repeated course may not exceed the full cost
18 of instruction for the course with respect to the student.

19 SECTION 3. The change in law made by this Act applies to a
20 student who, beginning with the 2005-2006 academic year, enrolls
21 for at least the third time in the same or substantially similar
22 courses as described by Sections 130.0034 and 135.52, Education
23 Code, as added by this Act.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

1 Act takes effect September 1, 2005.

David Swinkurst

President of the Senate

Jim Coakley

Speaker of the House

I certify that H.B. No. 994 was passed by the House on April 7, 2005, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 994 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Latsyn Spaw
Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

Roger Williams
Secretary of State