

AN ACT

relating to tuition rates and formula funding for certain nonresident students enrolled at Texas A&M University--Texarkana.

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

SECTION 1. Subsections (a) and (f), Section 54.060, Education Code, are amended to read as follows:

(a) The nonresident tuition fee prescribed by this chapter does not apply to a nonresident student who is a resident of Arkansas, Louisiana, New Mexico, or Oklahoma and who registers in Texas A&M University--Texarkana [~~a public upper-level institution of higher education~~], Lamar State College--Orange, Lamar State College--Port Arthur, a Texas public junior college, or a public technical institute, if the institution [~~that~~] is situated in a county immediately adjacent to the state in which the nonresident student resides. The nonresident tuition fee prescribed by this chapter does not apply to a nonresident student who is a resident of New Mexico or Oklahoma and who registers in a public technical institute that is situated in a county that is within 100 miles of the state in which the nonresident student resides and who is admitted for the purpose of utilizing available instructional facilities. The nonresident student described in this subsection shall pay an amount equivalent to the amount charged a Texas student registered at a similar school in the state in which the nonresident student resides. [~~For purposes of this subsection, "public~~

1 ~~upper-level institution of higher education" means an institution~~  
2 ~~of higher education that offers only junior-level and senior-level~~  
3 ~~courses or only junior-level, senior-level, and graduate-level~~  
4 ~~courses.]~~

5 (f) The payment of resident tuition at Texas A&M  
6 University--Texarkana, Lamar State College--Orange, Lamar State  
7 College--Port Arthur, or a public technical institute as authorized  
8 by Subsection (a) or at an institution of higher education as  
9 authorized by Subsection (g) does not affect the constitutionally  
10 dedicated funding to which institutions of higher education are  
11 entitled under Article VII, Section 17, of the Texas Constitution.

12 SECTION 2. Section 61.059, Education Code, is amended by  
13 adding Subsection (n) to read as follows:

14 (n) In the formula applicable to Texas A&M  
15 University--Texarkana for funding instruction and operations, the  
16 board shall include any semester credit hours taught through  
17 distance education to students enrolled at that university who  
18 reside in another state and:

19 (1) as permitted by Section 54.060(a), pay tuition at  
20 the rate charged to residents of this state; and

21 (2) reside in a county in the other state that is  
22 contiguous to the county in which the university is located.

23 SECTION 3. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2011.

S.B. No. 1272

David Newburt  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 1272 passed the Senate on April 14, 2011, by the following vote: Yeas 31, Nays 0.

Patsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 1272 passed the House on May 5, 2011, by the following vote: Yeas 146, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

19 MAY '11  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:30pm O'CLOCK

Debra Ralston  
MAY 19 2011  
Secretary of State