

2015 Regular Session

HOUSE BILL NO. 152

BY REPRESENTATIVE BROADWATER

STUDENT/TUITION: Provides relative to mandatory fees charged to students at public postsecondary education institutions

1 AN ACT

2 To enact R.S. 17:3351.20, relative to fees charged to students at public postsecondary
3 education institutions; to authorize the postsecondary education management boards
4 to establish such fees and adjust fee amounts; to provide limitations; to provide for
5 applicability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3351.20 is hereby enacted to read as follows:

8 §3351.20. Mandatory fees

9 A.(1) In addition to the authority granted by any other provision of law,
10 including but not limited to R.S. 17:3139.5, 3351.7, and 3351.8, and in accordance
11 with Article VII, Section 2.1 of the Constitution of Louisiana, the Legislature of
12 Louisiana hereby authorizes the Board of Supervisors of Louisiana State University
13 and Agricultural and Mechanical College, the Board of Supervisors of Southern
14 University and Agricultural and Mechanical College, the Board of Supervisors for
15 the University of Louisiana System, and the Board of Supervisors of Louisiana
16 Community and Technical Colleges to establish at each institution under their
17 respective management and supervision mandatory fees to be charged to students
18 enrolled at such institutions and to adjust the amounts of such fees as they deem
19 necessary. Such authority shall apply for the 2015-2016 and 2016-2017 academic

1 years only, and the authority to increase fees pursuant thereto shall terminate on June
2 30, 2017.

3 (2) The revenue per full time equivalent student from all tuition and fee
4 amounts charged to a student plus the revenue per full time equivalent student from
5 state and local appropriations shall not exceed the national average of total per full
6 time equivalent student revenue from state appropriations, local appropriations,
7 tuition, and fees as reported by the National Center for Education Statistics by
8 Carnegie classification, which maximum amount may be annually adjusted based on
9 the most recent full time equivalent funding statistics as reported by the National
10 Center for Education Statistics and adjusted to the current fiscal year using the
11 Higher Education Price Index. This Paragraph shall not apply to the Louisiana State
12 University Health Sciences Center - New Orleans, the Louisiana State University
13 Health Sciences Center - Shreveport, the pharmacy program at the University of
14 Louisiana at Monroe, or the Southern University Law Center.

15 (3) The total of all tuition and fee amounts charged to a student enrolled in
16 the Louisiana State University Health Sciences Center - New Orleans, the Louisiana
17 State University Health Sciences Center - Shreveport, the pharmacy program at the
18 University of Louisiana at Monroe, or the Southern University Law Center shall not
19 exceed the tuition and fees charged, as reported by the National Center for Education
20 Statistics, of national peers selected by the institution, which maximum amount may
21 be annually adjusted based on the most recent tuition and fee amounts per full time
22 equivalent student as reported by the National Center for Education Statistics and
23 adjusted to the current fiscal year using the Higher Education Price Index.

24 B.(1) The authority granted by Subsection A of this Section includes the
25 authority to impose per credit fees, to impose differential fees for certain programs
26 exclusive of others, and to charge proportional amounts for part-time students and
27 for summer sessions.

1 (2) The authority granted by Subsection A of this Section is not subject to
2 any limitation on the authority to establish fees and set fee amounts provided for in
3 R.S. 17:3139 et seq.

4 C. Each management board shall establish a need-based financial assistance
5 fund at each of its member institutions. Each institution shall allocate to its fund
6 funds from its operating budget in an amount not less than five percent of revenues
7 realized by the institution from fees assessed pursuant to this Section. Such funds
8 shall be utilized to provide need-based financial assistance to students at that
9 institution who are eligible to receive a Pell Grant.

10 (D) No revenues generated by fees imposed pursuant to this Section shall be
11 used for any other purpose except for support of the university at which the fees were
12 collected.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 152 Reengrossed

2015 Regular Session

Broadwater

Abstract: Authorizes the public postsecondary education management boards to establish and adjust fees charged to students.

Proposed law provides that the legislature authorizes the public postsecondary education management boards to establish fees and adjust fee amounts at institutions under their respective management and supervision. Provides that such authority shall apply for the 2015-16 and 2016-17 academic years only and that the authority to increase fees pursuant thereto shall terminate on June 30, 2017. Provides that such authority specifically includes authority to impose per credit fees and differential fees for certain programs and to charge proportional amounts for part-time students and summer sessions. Provides that except for the LSU Health Sciences Centers, the pharmacy program at the University of La. at Monroe, and the Southern University Law Center, the revenue per full time equivalent student from all tuition and fee amounts charged to a student plus the revenue per full time equivalent student from state and local appropriations shall not exceed the national average of total per full time equivalent student revenue from state appropriations, local appropriations, tuition,

and fees as reported by the National Center for Education Statistics (NCES) by Carnegie classification, which maximum amount may be annually adjusted based on the most recent full time equivalent funding statistics as reported by the NCES and adjusted to the current fiscal year using the Higher Education Price Index (HEPI). Provides that the total of all tuition and fee amounts charged to a student enrolled in the LSU Health Sciences Centers, the pharmacy program at the University of La. at Monroe, and the Southern University Law Center shall not exceed the tuition and fees charged, as reported by the NCES, of national peers selected by the institution, which maximum amount may be annually adjusted based on the most recent tuition and fee amounts per full time equivalent student as reported by the NCES and adjusted to the current fiscal year using the HEPI.

Present law (R.S. 17:3139 et seq. - the GRAD Act), authorizes specific tuition and fee increases at public postsecondary education institutions contingent on whether those institutions meet performance goals established by agreement with the Bd. of Regents. Proposed law provides that the authority to establish and adjust fees as authorized by proposed law is not subject to such contingencies.

Proposed law requires each institution to allocate not less than 5% of revenues realized pursuant to proposed law to provide need-based financial assistance to students who are eligible to receive a Pell Grant.

Proposed law prohibits revenues generated by fees imposed pursuant to proposed law from being used for any other purpose except for support of the university at which the fees were collected.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3351.20)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Limit total tuition and fee amounts based on certain national per full time equivalent student averages and amounts as reported by the National Center for Education Statistics.

The House Floor Amendments to the engrossed bill:

1. Limit proposed law authority to establish fees to the 2015-16 and 2016-17 academic years and provide that proposed law authority to increase fees shall terminate on June 30, 2017.
2. Add that revenues generated by fees imposed pursuant to proposed law may not be used for any other purpose except for support of the university at which they were collected.
3. Add the pharmacy program at the University of La. at Monroe to the list of institutions that also includes the LSU Health Sciences Centers and the Southern University Law Center for purposes of calculating the "cap" of total tuition and fee amounts.
4. Clarify how the "cap" of total tuition and fee amounts is calculated for national comparison purposes.