

By: Morales of Maverick

H.B. No. 2336

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of Sul Ross State University to The Texas A&M University System.

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

SECTION 1. AMENDMENT. Chapter 87, Education Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. SUL ROSS STATE UNIVERSITY

Sec. 87.881. ESTABLISHMENT. (a) Sul Ross State University is a coeducational institution of higher education located in the city of Alpine, with an upper-level educational center known as Sul Ross State University Rio Grande College operated in the cities of Del Rio, Eagle Pass, and Uvalde.

(b) The university is a component institution of The Texas A&M University System and is under the management and control of the board of regents of The Texas A&M University System. The board has the same powers and duties concerning the university as are conferred on the board by statute concerning Texas A&M University.

Sec. 87.882. REFERENCE TO UVALDE STUDY CENTER. A reference in law to the Uvalde Study Center of Sul Ross State University means Sul Ross State University Rio Grande College.

SECTION 2. TRANSFER OF GOVERNANCE OF UNIVERSITY. The governance, control, management, and property of Sul Ross State University are transferred from the board of regents of the Texas State University System to the board of regents of The Texas A&M

1 University System. The transfer is governed by Sections 3 through 7
2 of this Act.

3 SECTION 3. POWERS AND DUTIES; RULES AND POLICIES. (a) When
4 the transfer takes effect, the board of regents of The Texas A&M
5 University System shall govern, operate, manage, and control Sul
6 Ross State University and all land, buildings, facilities,
7 improvements, equipment, supplies, and property belonging to and
8 constituting Sul Ross State University under the powers and duties
9 conferred by law on the board of regents.

10 (b) Sul Ross State University may continue to award degrees
11 in the same disciplines and of the same academic standing after the
12 transfer authorized by this Act as those in which degrees were
13 awarded by the university before this Act, subject to the authority
14 of the Texas Higher Education Coordinating Board regarding existing
15 degree programs.

16 (c) Rules and policies adopted by the board of regents of
17 the Texas State University System to govern the university that are
18 in effect when the transfer takes effect are continued in effect
19 until adopted, repealed, or superseded by the board of regents of
20 The Texas A&M University System. The board of regents of The Texas
21 A&M University System may adopt rules and policies applicable to
22 the university in anticipation of the transfer authorized by this
23 Act.

24 SECTION 4. CONTRACTS AND WRITTEN OBLIGATIONS, INCLUDING
25 BONDS. Contracts and written obligations of every kind and
26 character entered into by the board of regents of the Texas State
27 University System for and on behalf of Sul Ross State University,

1 including bonds, are considered ratified, confirmed, and validated
2 by the board of regents of The Texas A&M University System on the
3 effective date of the transfer. In those contracts and written
4 obligations, the board of regents of The Texas A&M University
5 System is substituted for and stands and acts in the place of the
6 board of regents of the Texas State University System to the extent
7 permitted by law.

8 SECTION 5. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES.

9 (a) The transfer of the governance of Sul Ross State University
10 under this Act does not affect the status of any student of the
11 university enrolled at the university when the transfer takes
12 effect.

13 (b) The transfer of the governance of Sul Ross State
14 University under this Act does not affect the employment status or
15 accrued benefits of any person employed by the university when the
16 transfer takes effect.

17 SECTION 6. CURRENT FUNDING. All funds that, on the
18 effective date of the transfer, have been appropriated or dedicated
19 to or are held for the use and benefit of Sul Ross State University
20 under the governance of the board of regents of the Texas State
21 University System are transferred to the board of regents of The
22 Texas A&M University System for the use and benefit of Sul Ross
23 State University.

24 SECTION 7. LEGISLATIVE INTENT; ROLE OF COORDINATING BOARD.

25 It is the intent of the legislature that the transfer of the
26 governance of Sul Ross State University from the board of regents of
27 the Texas State University System to the board of regents of The

1 Texas A&M University System be made without disrupting the
2 students, faculty, staff, or programs of the university. If those
3 boards of regents are unable to agree as to any matter relating to
4 the transfer, the Texas Higher Education Coordinating Board on
5 application of either board of regents shall resolve the
6 disagreement consistent with the intent of this section and the
7 provisions of this Act as the coordinating board determines is in
8 the best interest of this state and the institutions under the
9 governance of the boards of regents. The coordinating board may
10 issue any orders or take any other action the coordinating board
11 considers appropriate to enforce this section or to facilitate the
12 transfer consistent with this Act and the intent of the
13 legislature.

14 SECTION 8. AMENDMENT. Section [55.1724\(a\)](#), Education Code,
15 is amended to read as follows:

16 (a) In addition to the other authority granted by this
17 subchapter, the board of regents of the Texas State University
18 System may acquire, purchase, construct, improve, renovate,
19 enlarge, or equip property, buildings, structures, facilities,
20 roads, or related infrastructure for the following institutions to
21 be financed by the issuance of bonds in accordance with this
22 subchapter and in accordance with a systemwide revenue financing
23 program adopted by the board in aggregate principal amounts not to
24 exceed the following:

- 25 (1) Lamar University--Beaumont, \$8 million;
- 26 (2) Lamar Institute of Technology, \$2 million;
- 27 (3) Lamar State College--Orange, \$3.5 million;

- 1 (4) Lamar State College--Port Arthur, \$2.75 million;
2 (5) Sam Houston State University, \$7.5 million; and
3 (6) Texas State University, \$19.7 million[~~, and~~
4 [~~(7) Sul Ross State University, \$17.5 million~~].

5 SECTION 9. AMENDMENT. Section 55.1734(a), Education Code,
6 is amended to read as follows:

7 (a) In addition to the other authority granted by this
8 subchapter, the board of regents of the Texas State University
9 System may issue in accordance with this subchapter and in
10 accordance with a systemwide revenue financing program adopted by
11 the board bonds for the following institutions not to exceed the
12 following aggregate principal amounts to finance projects
13 specified as follows:

14 (1) Lamar University--Beaumont, \$21,792,096 to
15 renovate and repair campus buildings;

16 (2) Lamar Institute of Technology, \$5,301,960 to
17 renovate Gentry Hall and convert it to classroom and laboratory
18 use;

19 (3) Lamar State College--Orange, \$2,125,000 for
20 campus landscaping, renovation of the old library for physical
21 plant purposes, renovation of the Main Building and Electronics
22 Commerce Resource Center, and demolition of the old physical plant
23 building;

24 (4) Lamar State College--Port Arthur, \$7,650,000 to
25 construct a performing arts and classroom building and to expand
26 the Gates Memorial Library and develop an adjacent plaza;

27 (5) Sam Houston State University, \$18 million to

1 renovate and expand the Farrington Building; and

2 (6) Texas State University, \$18,436,500 to construct a
3 business building[~~, and~~

4 [~~(7) Sul Ross State University, \$15,175,000 to~~
5 ~~renovate and expand the range animal science facility and science~~
6 ~~building annex and to carry out other building renovations]~~.

7 SECTION 10. AMENDMENT. Section 55.1784(a), Education Code,
8 is amended to read as follows:

9 (a) In addition to the other authority granted by this
10 subchapter, the board of regents of the Texas State University
11 System may acquire, purchase, construct, improve, renovate,
12 enlarge, or equip property and facilities, including roads and
13 related infrastructure, for projects to be financed through the
14 issuance of bonds in accordance with this subchapter and in
15 accordance with a systemwide revenue financing program adopted by
16 the board for the following institutions, not to exceed the
17 following aggregate principal amounts for the projects specified,
18 as follows:

19 (1) Lamar University, \$60 million for construction of
20 a science building;

21 (2) Lamar State College--Orange, \$10 million for
22 construction of a multipurpose education building;

23 (3) Lamar State College--Port Arthur, \$8,080,000 for
24 expansion of technology program facilities;

25 (4) Lamar Institute of Technology, \$12,500,000 for
26 construction and renovation of technical arts buildings;

27 (5) Texas State University:

1 (A) \$63 million for construction of an
2 engineering and sciences building; and

3 (B) \$48,600,000 for construction of a health
4 professions building in Round Rock, Texas; and

5 (6) Sam Houston State University, \$48 million for
6 construction of a biology laboratory building[~~, and~~

7 [~~(7) Sul Ross State University, \$6,240,000 for~~
8 ~~renovation and modernization of educational and related facilities~~
9 ~~and infrastructure].~~

10 SECTION 11. AMENDMENT. Subchapter B, Chapter 55, Education
11 Code, is amended by adding Section 55.17811 to read as follows:

12 Sec. 55.17811. SUL ROSS STATE UNIVERSITY. (a) In addition
13 to the other authority granted by this subchapter, the board of
14 regents of The Texas A&M University System may issue bonds in
15 accordance with this subchapter and in accordance with a systemwide
16 revenue financing program adopted by the board in the aggregate
17 principal amounts not to exceed the amounts previously authorized
18 for Sul Ross State University by Sections 55.1724, 55.1734, and
19 55.1784, as those sections existed immediately before this section
20 took effect, less any portion of those amounts for which bonds were
21 issued under those sections for the university before the date this
22 section took effect. Subject to Subsection (d), bonds issued under
23 this section for an amount previously authorized by Section
24 55.1724, 55.1734, or 55.1784 may be used only at Sul Ross State
25 University for the purposes for which the bonds were authorized to
26 be issued for the university under Section 55.1724, 55.1734, or
27 55.1784, as applicable.

1 (b) The board may pledge irrevocably to the payment of those
2 bonds all or any part of the revenue funds of an institution,
3 branch, or entity of The Texas A&M University System, including
4 student tuition charges. The amount of a pledge made under this
5 subsection may not be reduced or abrogated while the bonds for which
6 the pledge is made, or bonds issued to refund those bonds, are
7 outstanding.

8 (c) If sufficient funds are not available to the board to
9 meet its obligations under this section, the board may transfer
10 funds among institutions, branches, and entities of The Texas A&M
11 University System to ensure the most equitable and efficient
12 allocation of available resources for each institution, branch, or
13 entity to carry out its duties and purposes.

14 (d) Any portion of the proceeds of bonds authorized by this
15 section for one or more specified projects that is not required for
16 the specified projects may be used to renovate existing structures
17 and facilities at the university.

18 SECTION 12. AMENDMENT. Section 62.021(a), Education Code,
19 is amended to read as follows:

20 (a) In each state fiscal year beginning with the state
21 fiscal year ending August 31, 2021, an eligible institution is
22 entitled to receive an amount allocated in accordance with this
23 section from the funds appropriated for that year by Section 17(a),
24 Article VII, Texas Constitution. The comptroller shall distribute
25 funds allocated under this subsection only on presentation of a
26 claim and issuance of a warrant in accordance with Section 403.071,
27 Government Code. An eligible institution may not present a claim to

1 be paid from any funds allocated under this subsection before the
2 delivery of goods or services described in Section 17, Article VII,
3 Texas Constitution, except for the payment of principal or interest
4 on bonds or notes or for a payment for a book or other published
5 library material as authorized by Section 2155.386, Government
6 Code. The allocation of funds under this subsection is made in
7 accordance with an equitable formula consisting of the following
8 elements: space deficit, facilities condition, institutional
9 complexity, and a separate allocation for the Texas State Technical
10 College System. The annual amounts allocated by the formula are as
11 follows:

12 (1) \$4,933,200 to Midwestern State University;

13 (2) to the following component institutions of the
14 University of North Texas System:

15 (A) \$37,346,563 to the University of North Texas;

16 (B) \$15,125,502 to the University of North Texas
17 Health Science Center at Fort Worth; and

18 (C) \$3,354,441 to the University of North Texas
19 at Dallas;

20 (3) \$11,277,793 to Stephen F. Austin State University;

21 (4) to the following component institutions of the
22 Texas State University System:

23 (A) \$13,141,181 to Lamar University;

24 (B) \$2,553,130 to the Lamar Institute of
25 Technology;

26 (C) \$1,488,396 to Lamar State College--Orange;

27 (D) \$2,217,102 to Lamar State College--Port

1 Arthur;

2 (E) \$18,236,811 to Sam Houston State University;

3 and

4 (F) \$37,606,478 to Texas State University;

5 [~~(G) \$2,151,723 to Sul Ross State University; and~~

6 [~~(H) \$472,890 to Sul Ross State University--Rio
7 Grande College;]~~

8 (5) \$11,719,335 to Texas Southern University;

9 (6) to the following component institutions of the
10 Texas Tech University System:

11 (A) \$49,874,746 to Texas Tech University;

12 (B) \$21,652,392 to Texas Tech University Health
13 Sciences Center;

14 (C) \$6,792,999 to Angelo State University; and

15 (D) \$5,557,572 to Texas Tech University Health
16 Sciences Center--El Paso;

17 (7) \$14,554,133 to Texas Woman's University;

18 (8) to the following component institutions of the
19 University of Houston System:

20 (A) \$54,514,004 to the University of Houston;

21 (B) \$3,542,817 to the University of
22 Houston--Victoria;

23 (C) \$7,726,043 to the University of
24 Houston--Clear Lake; and

25 (D) \$10,828,344 to the University of
26 Houston--Downtown;

27 (9) to the following component institutions of The

1 Texas A&M University System:

2 (A) \$11,478,824 to Texas A&M University--Corpus
3 Christi;

4 (B) \$7,462,394 to Texas A&M International
5 University;

6 (C) \$8,858,060 to Texas A&
7 University--Kingsville;

8 (D) \$7,446,495 to West Texas A&M University;

9 (E) \$11,123,859 to Texas A&
10 University--Commerce; ~~and~~

11 (F) \$2,050,273 to Texas A&
12 University--Texarkana;

13 (G) \$2,151,723 to Sul Ross State University; and

14 (H) \$472,890 to Sul Ross State University Rio
15 Grande College; and

16 (10) \$8,662,500 to the Texas State Technical College
17 System Administration and the following component campuses, but not
18 its extension centers or programs:

19 (A) Texas State Technical College--Harlingen;

20 (B) Texas State Technical College--Marshall;

21 (C) Texas State Technical College--West Texas;

22 (D) Texas State Technical College--Waco;

23 (E) Texas State Technical College--Fort Bend;

24 and

25 (F) Texas State Technical College--North Texas.

26 SECTION 13. REPEALER. Subchapter A, Chapter 96, Education
27 Code, is repealed.

1 SECTION 14. EFFECTIVE DATE. This Act takes effect
2 September 1, 2021.