

By: Raney

H.B. No. 3048

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain public institutions of higher  
3 education to offer programs and courses in junior college district  
4 service areas.

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

6 SECTION 1. Section 130.161, Education Code, is amended by  
7 adding Subdivision (3) to read as follows:

8 (3) "Institution of higher education" has the meaning  
9 assigned by Section 61.003.

10 SECTION 2. Subchapter J, Chapter 130, Education Code, is  
11 amended by adding Section 130.1615 to read as follows:

12 Sec. 130.1615. APPLICATION OF SUBCHAPTER TO PROGRAMS AND  
13 COURSES OFFERED BY OTHER INSTITUTIONS OF HIGHER EDUCATION. (a)  
14 This subchapter does not prohibit, restrict, or limit the authority  
15 of an institution of higher education, other than a junior college  
16 district, to offer a degree or certificate program in a service area  
17 designated in this subchapter.

18 (b) A junior college district may not object to the  
19 implementation of a program or course offered by an institution of  
20 higher education, other than an institution of higher education  
21 that is another junior college district, solely on the basis that  
22 the program or course is offered in the objecting junior college  
23 district's service area.

24 (c) The Texas Higher Education Coordinating Board may not

1 approve or disapprove a new degree or certificate program, or the  
2 continuation of an existing degree or certificate program, solely  
3 on the basis that the program is offered or proposed to be offered  
4 in a junior college district's service area. This subsection does  
5 not apply to the approval or disapproval of a program offered or  
6 proposed to be offered by a junior college district in the service  
7 area of another junior college district.

8 SECTION 3. Sections [135.04\(b\)](#) and (c) and Section  
9 [135.102\(c\)](#), Education Code, are repealed.

10 SECTION 4. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section [39](#), Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2023.