

## **BILL ANALYSIS**

Senate Research Center

S.B. 1876  
By: Ratliff  
Infrastructure Development and Security  
8/20/2003  
Enrolled

### **DIGEST AND PURPOSE**

Currently, the Texas Department of Transportation's (TxDOT) conditional grant program is open to female and minority students attending a Texas public institution of higher education with the intention of working as civil engineers for TxDOT for two years after obtaining a degree. Because the program is race-based and gender-based, it is believed to be vulnerable to legal challenge. S.B. 1876 establishes eligibility for the program based on "economic disadvantage" and deletes statutory references to women and minority applicants.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 56.141(4), Education Code, to redefine "eligible profession" as the profession of engineering or another profession as defined by Texas Department of Transportation (TxDOT) rule for which TxDOT determines there is a need in TxDOT's workforce. Deletes "as having a significant statistical underrepresentation of minorities or women" from the definition.

SECTION 2. Amends Section 56.142(a), Education Code, to make a conforming change.

SECTION 3. Amends Section 56.143, Education Code, as follows:

- (a) Amends the requirements for a student's eligibility for a conditional grant by replacing the terms "minority" and "woman" with "economically disadvantaged."
- (b) Provides that in the determination of who should receive a grant under this program, TxDOT:
  - (1) shall give highest priority to students who demonstrate the greatest financial need; and
  - (2) may consider whether the applicant would be the first generation of the applicant's family to attend or graduate from an undergraduate program or from a graduate or professional program.

SECTION 4. Amends Section 56.147, Education Code, by reenacting and amending Subsection (b), as amended by Chapters 151 and 165, Acts of the 74th legislature, Regular Session, 1995, and by adding Subsection (c), as follows:

- (b) Requires TxDOT to issue not less than \$400,000 annually in conditional grants under this subchapter from money available to fund the conditional grant program.
- (c) Authorizes TxDOT to provide outreach programs to recruit students into the conditional grant program.

SECTION 5. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.