

By: Farabee

H.B. No. 1722

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of the term "college" by certain educational
3 institutions.

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

5 SECTION 1. Section 61.313, Education Code, is amended by
6 amending Subsection (e) and adding Subsections (f) and (g) to read
7 as follows:

8 (e) This section does not apply to a person who on September
9 1, 1997, used the term "college" or "university" in the official
10 name or title of a private postsecondary educational institution
11 that was established before September 1, 1975. A person covered by
12 this subsection is not required to remove the term "college" or
13 "university" from the name or title of the institution established
14 before September 1, 1975.

15 (f) A person covered by Subsection (e) [~~this subsection~~] may
16 use the term "college" in the official name or title of another
17 private postsecondary educational institution in this state if:

18 (1) the person's business name on September 1, 1995,
19 included the term "college"; and

20 (2) the other institution offers the same or similar
21 educational programs and is located in the same county as the
22 institution established before September 1, 1975.

23 (g) A person covered by Subsection (e) may use the term
24 "college" in the official name or title of another private

1 postsecondary educational institution in this state if:

2 (1) the person operated at least four private
3 postsecondary educational institutions in this state on September
4 1, 1985, for which the person was permitted to use the term
5 "college" in the official name or title; and

6 (2) the other institution offers the same or similar
7 educational programs as the institutions described by Subdivision
8 (1) and has enrolled students in educational programs continuously
9 since before September 1, 1995.

10 SECTION 2. 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, 2003.