

BILL ANALYSIS

H.B. 6
By: Morrison
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many Texas institutions of higher education have seen significant student population growth that has resulted in the need for increased building space, and maintenance and repair of existing facilities. H.B. 6 provides for the issuance of revenue bonds for institutions in The Texas A&M University System, The University of Texas System, the University of Houston System, the Texas Tech University System, the Texas State University System, the University of North Texas System, Texas Women's University, Midwestern State University, Stephen F. Austin State University, and Texas Southern University.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Authorizes the board of regents (board) of The Texas A&M University System (Texas A&M System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) Prairie View A&M University;
- (2) Tarleton State University;
- (3) Tarleton State University System Center—Central Texas;
- (4) Texas A&M University—Commerce ;
- (5) Texas A&M University—Corpus Christi;
- (6) Texas A&M University—Kingsville;
- (7) Texas A&M University—Texarkana;
- (8) West Texas A&M University;
- (9) The Texas A&M University Health Science Center;
- (10) Texas A&M University;
- (11) Texas A&M University at Galveston; and
- (12) Texas A&M International University.

Authorizes the board of regents (board) of The University of Texas System (UT System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) The University of Texas at Arlington;
- (2) The University of Texas at Austin;
- (3) The University of Texas at Brownsville;
- (4) The University of Texas at Dallas;
- (5) The University of Texas at El Paso;
- (6) The University of Texas—Pan American;
- (7) The University of Texas of the Permian Basin;
- (8) The University of Texas at San Antonio;
- (9) The University of Texas Southwestern Medical Center at Dallas;
- (10) The University of Texas Medical Branch at Galveston;

- (11) The University of Texas Health Science Center at Houston;
- (12) The University of Texas Health Science Center at San Antonio;
- (13) The University of Texas Health Science Center at Tyler;
- (14) The University of Texas M. D. Anderson Cancer Center; and
- (15) The University of Texas at Tyler.

Authorizes the board of regents (board) of the University of Houston System (UH System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) the University of Houston;
- (2) the University of Houston—Downtown;
- (3) the University of Houston—Clear Lake; and
- (4) the University of Houston—Victoria

Authorizes the board of regents (board) of the Texas State University System (Texas State System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) Angelo State University
- (2) Lamar University;
- (3) Lamar Institute of Technology;
- (4) Lamar State College—Orange;
- (5) Lamar State College—Port Arthur;
- (6) Sul Ross State University;
- (7) Texas State University—San Marcos; and
- (8) Sam Houston State University.

Authorizes the board of regents (board) of the University of North Texas System (UNT System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) the University of North Texas; and
- (2) the University of North Texas Health Science Center at Fort Worth
- (3) the University of North Texas System Center at Dallas

Authorizes the board of regents (board) of the Texas Tech University System (Texas Tech System), in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds for the following institutions:

- (1) Texas Tech University Health Sciences Center; and
- (2) Texas Tech University.

Authorizes the Texas A&M System, the University of Texas System, the UH System, the Texas State System, the UNT System, and the Texas Tech System boards to pledge irrevocably to the payment of the bonds all or any part of the revenue funds of an institution, branch, or entity of the Texas Tech System, including student tuition charges. Prohibits the amount of a pledge made from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Authorizes the Texas A&M System, the University of Texas System, the UH System, the Texas State System, the UNT System, and the Texas Tech System boards, if sufficient funds are not available to meet its obligations, to transfer funds among institutions, branches, and entities of the Texas Tech System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

Authorizes the board of regents (board) of Texas Woman's University, in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds at Texas Woman's University.

Authorizes the board to pledge irrevocably to the payment of the bonds all or any part of the revenue funds of Texas Woman's University, including student tuition charges. Prohibits the amount of a pledge made from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Authorizes the board of regents (board) of Midwestern State University, in addition to the other authority granted by this subchapter, to finance utility infrastructure and campus renovations at Midwestern State University, through the issuance of bonds.

Authorizes the board to pledge irrevocably to the payment of the bonds all or any part of the revenue funds of Midwestern State University, including student tuition charges. Prohibits the amount of a pledge made from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Authorizes the board of regents (board) of Stephen F. Austin State University, in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds at Stephen F. Austin State University.

Authorizes the board to pledge irrevocably to the payment of the bonds all or any part of the revenue funds of Stephen F. Austin State University, including student tuition charges. Prohibits the amount of a pledge made from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Authorizes the board of regents (board) of Texas Southern University, in addition to the other authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, to be financed through the issuance of bonds.

Authorizes the board to pledge irrevocably to the payment of the bonds all or any part of the revenue funds of Texas Southern University, including student tuition charges. Prohibits the amount of a pledge made from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Provides that, with certain exception, approval of the board is not required to acquire real property that is financed by bonds issued under this Act. Provides that, with exception, Section 61.058 (b), Education Code, does not apply to construction, repair, or rehabilitation financed by bonds issued under this Act. Provides for the expansion of the definition of "issuer."

EFFECTIVE DATE

Except as provided by Subsection (b), this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session. Section 4 of this Act takes effect September 1, 2005, if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive that vote, Section 4 of this Act takes effect on the 91st day after the last day of the legislative session.