

BILL ANALYSIS

C.S.H.B. 153
By: Morrison
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

C.S.H.B. 153 provides for the issuance of revenue bonds for institutions in the University of Houston System, the University of Texas System, the Texas A&M University System, the Texas Tech University System, the Texas State University System, the University of North Texas System, and Texas Woman's University, Midwestern State University, Stephen F. Austin State University, Texas State Technical College System 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 and facilities:

- (1) Prairie View A&M University;
- (2) Tarleton State University;
- (3) Texas A&M University--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--San Antonio;
- (8) Texas A&M University--Texarkana;
- (9) West Texas A&M University;
- (10) The Texas A&M University System Health Science Center;
- (11) Texas A&M University;
- (12) Texas A&M University at Galveston; and
- (13) 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 and facilities:

- (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 and facilities:

- (1) the University of Houston;
- (2) the University of Houston--Clear Lake;
- (3) the University of Houston--Downtown; 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 and facilities:

- (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 and facilities:

- (1) the University of North Texas;
- (2) the University of North Texas Health Science Center at Fort Worth;
- (3) the University of North Texas Law School; and
- (4) the University of North Texas Dallas Campus.

Authorizes the board of regents (board) of the 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 for Texas Woman's University.

Authorizes the board of regents (board) of Midwestern 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 for Midwestern State University.

Authorizes the board of regents (board) of Stephen F. Austin 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 for Stephen F. Austin University.

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 and facilities:

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

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, for projects to be financed through the issuance of bonds for Texas Southern University.

Authorizes the board of regents (board) of Texas State Technical College 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 and facilities:

- (1) Texas State Technical College--Harlingen;
- (2) Texas State Technical College--Marshall;
- (3) Texas State Technical College--Waco; and
- (4) Texas State Technical College--West Texas.

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 respective institutions, 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 respective institutions 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 Texas Woman's College, Midwestern State University, Stephen F. Austin State University, Texas Southern University and the Texas State Technical College 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 respective institutions, 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 Woman's College, Midwestern State University, Stephen F. Austin State University, Texas Southern University and the Texas State Technical College System boards, if sufficient funds are not available to meet its obligations, to transfer funds among institutions, branches, and entities of the respective institutions to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

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."

There is hereby appropriated to the respective institutions of higher education \$108,000,000 in General Revenue for the 2006-07 biennium for the purpose of paying debt service on the bonds authorized by this Act. The debt service appropriations shall be transferred to affected institutions of higher education based on a plan developed by the Texas Higher Education Coordinating Board and approved by the Legislative Budget Board.

This Act does not affect any authority or restriction regarding the activities that a public institution of higher education may conduct in connection with a facility financed by bonds authorized by this Act.

EFFECTIVE DATE

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.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute provides for the authorization of additional revenue bond projects, eliminates outdated revenue bond projects, and modifies certain existing revenue bond project descriptions. The committee substitute adjusts revenue bond amounts to reflect changes in the costs of the projects.