

By: Pitts

H.B. No. 63

A BILL TO BE ENTITLED

AN ACT

relating to appropriations to pay for damages and disruptions suffered by Lamar University and its related institutions caused by Hurricanes Katrina and Rita.

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

SECTION 1. DEFINITION. In this Act, "Lamar University or its related institutions" includes Lamar University and its educational centers, Lamar Institute of Technology, Lamar State College--Port Arthur, and Lamar State College--Orange.

SECTION 2. APPROPRIATION. (a) In addition to other appropriated amounts that may be used for this purpose, the amount of \$34 million is appropriated out of the general revenue fund to the Texas State University System for the two-year period beginning on the effective date of this Act for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita and suffered by Lamar University or its related institutions.

(b) The Texas State University System shall distribute the money appropriated by Subsection (a) of this section to Lamar University and its related institutions, allocating the money among Lamar University and its related institutions as the system considers appropriate to address the hurricane-related needs of those institutions.

(c) For purposes of Subsection (j)(1), Section 17, Article

VII, Texas Constitution, the legislature finds that damages to property caused by the hurricanes were caused by a natural disaster.

SECTION 3. FEDERAL MONEY. (a) To the extent that amounts, other than amounts described by Subsection (c) of this section, received from the federal government by or on behalf of Lamar University or its related institutions for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita do not exceed in the aggregate the amount appropriated by Section 2 of this Act, the amounts received from the federal government:

(1) shall be deposited in the state treasury to the credit of the general revenue fund as undedicated general revenue, and Section 51.008, Education Code, does not apply to the amounts received; and

(2) are not appropriated to the Texas State University System or to Lamar University or any of its related institutions under this Act, under Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), or under any other Act of the 79th Legislature in the Regular Session or the 1st or 2nd Called Session.

(b) To the extent that amounts, other than amounts described by Subsection (c) of this section, received from the federal government by or on behalf of Lamar University or its related institutions for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita exceed in the aggregate the

1 amount appropriated by Section 2 of this Act, the amounts received
2 from the federal government in excess of the amount appropriated by
3 Section 2 of this Act shall be deposited in the state treasury to
4 the credit of the appropriate fund or account and are appropriated
5 to the Texas State University System for those purposes for the
6 two-year period beginning on the effective date of this Act:

7 (1) for distribution to Lamar University and its
8 related institutions, with the university system allocating the
9 money among Lamar University and its related institutions as the
10 system considers appropriate to address the hurricane-related
11 needs of those institutions; and

12 (2) subject to any federal conditions or requirements
13 that attach to receipt or use of the money.

14 (c) Notwithstanding Subsections (a) and (b) of this
15 section, amounts received from the federal government by or on
16 behalf of Lamar University or its related institutions for the
17 purpose of paying for or reimbursing payments for costs associated
18 with damages or disruptions caused by Hurricane Katrina or
19 Hurricane Rita, regardless of the amount, may be kept outside the
20 state treasury as institutional funds of Lamar University or a
21 related institution, as appropriate, and may be spent in accordance
22 with the law governing those funds, to the extent the amounts
23 received from the federal government are clearly intended to:

24 (1) reimburse Lamar University or a related
25 institution for payments for specific described costs, other than
26 costs to cover a loss described by Subsection (j)(1), Section 17,
27 Article VII, Texas Constitution, that the university or a related

1 institution paid with institutional funds;

2 (2) pay the cost of repairing described damages that
3 may not under law be paid using general revenue; or

4 (3) pay costs related to disruptions of any activities
5 that may not under law be paid using general revenue.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect on the 91st day after the last day of the
11 legislative session.