

1-1 By: Branch (Senate Sponsor - Shapiro) H.B. No. 2162
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on
1-4 Education; May 20, 2005, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to hospital and clinic fees collected by certain public
1-9 medical schools.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 51.009, Education Code, is amended by
1-12 amending Subsection (c) and adding Subsection (d) to read as
1-13 follows:

1-14 (c) Each of the following shall be accounted for as
1-15 educational and general funds:

1-16 (1) net tuition, special course fees charged under
1-17 Sections 54.051(e) and (1), Education Code, lab fees, student
1-18 teaching fees, ~~[hospital and clinic fees,~~ organized activity fees,
1-19 proceeds from the sale of educational and general equipment, and
1-20 indirect cost recovery fees; and

1-21 (2) hospital and clinic fees received by a state-owned
1-22 clinical care facility that is operated using general revenue fund
1-23 appropriations.

1-24 (d) Hospital and clinic fees received by a clinical care
1-25 facility, other than a facility described by Subsection (c)(2),
1-26 that is administered by an institution of higher education may not
1-27 be treated as a source of financing from outside general revenue
1-28 fund appropriations in reference to a requirement in the General
1-29 Appropriations Act that salaries, wages, and benefits of the
1-30 employees of the institution be paid in proportion to the source of
1-31 the funds from which the salary, wages, and benefits are paid.

1-32 SECTION 2. Section 51.009, Education Code, as amended by
1-33 this Act, applies to fees collected on or after the effective date
1-34 of this Act. A fee collected before that date is governed by the law
1-35 in effect when the fee is collected, and that law is continued in
1-36 effect for that purpose.

1-37 SECTION 3. This Act takes effect immediately if it receives
1-38 a vote of two-thirds of all the members elected to each house, as
1-39 provided by Section 39, Article III, Texas Constitution. If this
1-40 Act does not receive the vote necessary for immediate effect, this
1-41 Act takes effect September 1, 2005.

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