

AN ACT

relating to the amount of the annual constitutional appropriation to certain agencies and institutions of higher education and to the allocation of those funds to those agencies and institutions.

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

SECTION 1. Section 62.021, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) In each state ~~[Each]~~ fiscal year beginning with the state fiscal year ending August 31, 2008, an eligible institution is entitled to receive an amount allocated in accordance with this section from funds appropriated for that year by Section 17(a), Article VII, Texas Constitution. The comptroller shall distribute funds allocated under this subsection only on presentation of a claim and issuance of a warrant in accordance with Section 403.071, Government Code. The comptroller may not issue a warrant from any funds allocated under this subsection before the delivery of goods or services described in Section 17, Article VII, Texas Constitution, except for the payment of principal or interest on bonds or notes or for a payment for a book or other published library material as authorized by Section 2155.386, Government Code. The allocation of funds under this subsection is made in accordance with an equitable formula consisting of the following elements: space deficit, facilities condition, institutional

complexity, and a separate allocation [~~allocations~~] for [~~medical units and~~] the Texas State Technical College System[, ~~and an additional allocation for Texas Southern University for compliance with the Texas Desegregation Plan~~]. The annual amounts allocated by the formula are as follows:

(1) \$3,434,348 to [~~\$5,256,817~~ ~~Texas A&M University--Commerce, including an allocation of \$1,027,070 to Texas A&M University--Texarkana;~~

~~\$8,818,023~~ ~~Lamar University, including an allocation of \$491,946 to Lamar Institute of Technology, an allocation of \$743,967 to Lamar University at Orange and an allocation of \$2,336,605 to Lamar University at Port Arthur;~~

~~\$3,007,669~~ ~~Midwestern State University;~~

(2) \$26,137,233 to the [~~\$18,021,033~~] University of North Texas;

(3) \$8,139,391 to the University of North Texas Health Science Center at Fort Worth;

(4) \$12,882,348 to [~~\$7,131,692~~] The University of Texas--Pan American;

(5) \$4,186,790 [~~, including an allocation of \$1,050,580~~] to The University of Texas at Brownsville;

(6) \$7,025,771 to [~~\$6,633,109~~] Stephen F. Austin State University;

(7) to the following component institutions of the [~~\$3,640,000~~ ~~University of North Texas Health Science Center at Fort Worth;~~

~~\$26,132,524~~ Texas State University System;

1 (A) \$11,210,508 to Lamar University;
2 (B) \$1,115,048 to Lamar State College--Orange;
3 (C) \$1,190,119 to Lamar State College--Port
4 Arthur;
5 (D) \$3,585,802 ~~[Administration and the following~~
6 ~~component institutions, including an allocation of \$3,887,211]~~ to
7 Angelo State University;
8 (E) \$9,916,306 ~~[an allocation of \$5,864,608]~~ to
9 Sam Houston State University;
10 (F) \$19,799,276 ~~[an allocation of \$14,479,112]~~
11 to Texas State University--San Marcos;
12 (G) \$2,043,772 ~~[an allocation of \$1,635,271]~~ to
13 Sul Ross State University; and
14 (H) \$379,831 ~~[an allocation of \$266,322]~~ to Sul
15 Ross State University-Rio Grande College;
16 (8) \$11,156,463 to ~~[\$7,191,493]~~ Texas Southern
17 University ~~[(includes allocation of \$1,000,000 for compliance with~~
18 ~~Texas Desegregation Plan)]~~;
19 (9) \$26,829,477 to ~~[\$20,961,881]~~ Texas Tech
20 University;
21 (10) \$17,849,441 to ~~[\$7,735,000]~~ Texas Tech
22 University Health Sciences Center;
23 (11) \$8,424,209 to ~~[\$6,974,897]~~ Texas Woman's
24 University;
25 (12) to the following component institutions of the
26 [\$36,952,989] University of Houston System:
27 (A) \$35,276,140 ~~[Administration and the~~

1 ~~following component institutions, including an allocation of~~
2 ~~\$25,986,116]~~ to the University of Houston;

3 (B) \$2,282,883 ~~[an allocation of \$1,659,449]~~ to
4 the University of Houston--Victoria;

5 (C) \$6,001,337 ~~[an allocation of \$3,853,447]~~ to
6 the University of Houston--Clear Lake; and

7 (D) \$9,628,151 ~~[an allocation of \$5,453,977]~~ to
8 the University of Houston--Downtown;

9 (13) to the ~~[\$12,692,873 The]~~ following component
10 institutions ~~[components]~~ of The Texas A&M University System:

11 (A) \$8,278,993 ~~[, including an allocation of~~
12 ~~\$3,687,722]~~ to Texas A&M University--Corpus Christi;

13 (B) \$3,130,211 ~~[an allocation of \$1,778,155]~~ to
14 Texas A&M International University;

15 (C) \$5,052,232 ~~[an allocation of \$3,555,651]~~ to
16 Texas A&M University--Kingsville; ~~and]~~

17 (D) \$4,776,890 ~~[an allocation of \$3,671,345]~~ to
18 West Texas A&M University;

19 (E) \$5,345,678 to Texas A&M
20 University--Commerce; and

21 (F) \$1,646,352 to Texas A&M
22 University--Texarkana; and

23 (14) \$5,775,000 to the ~~[\$3,850,000]~~ Texas State
24 Technical College System Administration and the following
25 component campuses, but not its extension centers or programs:

26 (A) Texas State Technical College-Harlingen;

27 (B) Texas State Technical College--Marshall;

1 (C) Texas State Technical College--West Texas
2 [Sweetwater]; and

3 (D) Texas State Technical College--Waco.

4 (a-1) In each year of the state fiscal biennium ending August
5 31, 2007, an eligible institution is entitled to receive an amount
6 allocated in accordance with this section from funds appropriated
7 for that year by Section 17(a), Article VII, Texas Constitution.
8 The comptroller shall distribute funds allocated under this
9 subsection only on presentation of a claim and issuance of a warrant
10 in accordance with Section 403.071, Government Code. The
11 comptroller may not issue a warrant from any funds allocated under
12 this subsection before the delivery of goods or services described
13 in Section 17, Article VII, Texas Constitution, except for the
14 payment of principal or interest on bonds or notes or for a payment
15 for a book or other published library material as authorized by
16 Section 2155.386, Government Code. The allocation of funds under
17 this subsection is made in accordance with an equitable formula
18 consisting of the following elements: space deficit, facilities
19 condition, institutional complexity, and a separate allocation for
20 the Texas State Technical College System. The annual amounts
21 allocated by the formula are as follows:

22 (1) \$2,289,565 to Midwestern State University;

23 (2) \$17,424,822 to the University of North Texas;

24 (3) \$5,426,261 to the University of North Texas Health
25 Science Center at Fort Worth;

26 (4) \$8,588,232 to The University of Texas--Pan
27 American;

1 (5) \$2,791,194 to The University of Texas at
2 Brownsville;

3 (6) \$4,683,847 to Stephen F. Austin State University;

4 (7) to the following component institutions of the
5 Texas State University System:

6 (A) \$7,473,672 to Lamar University;

7 (B) \$743,365 to Lamar State College--Orange;

8 (C) \$793,412 to Lamar State College--Port
9 Arthur;

10 (D) \$2,390,535 to Angelo State University;

11 (E) \$6,610,870 to Sam Houston State University;

12 (F) \$13,199,517 to Texas State University--San
13 Marcos;

14 (G) \$1,362,515 to Sul Ross State University; and

15 (H) \$253,220 to Sul Ross State University--Rio
16 Grande College;

17 (8) \$7,437,642 to Texas Southern University;

18 (9) \$17,886,318 to Texas Tech University;

19 (10) \$11,899,627 to Texas Tech University Health
20 Sciences Center;

21 (11) \$5,616,139 to Texas Woman's University;

22 (12) to the following component institutions of the
23 University of Houston System:

24 (A) \$23,517,427 to the University of Houston;

25 (B) \$1,521,922 to the University of
26 Houston--Victoria;

27 (C) \$4,000,892 to the University of

Houston--Clear Lake; and

(D) \$6,418,767 to the University of
Houston--Downtown;

(13) to the following component institutions of The
Texas A&M University System:

(A) \$5,519,329 to Texas A&M University--Corpus
Christi;

(B) \$2,086,807 to Texas A&M International
University;

(C) \$3,368,155 to Texas A&
University--Kingsville;

(D) \$3,184,593 to West Texas A&M University;

(E) \$3,563,785 to Texas A&
University--Commerce; and

(F) \$1,097,568 to Texas A&
University--Texarkana; and

(14) \$3,850,000 to the Texas State Technical College
System Administration and the following component campuses, but not
its extension centers or programs:

(A) Texas State Technical College--Harlingen;

(B) Texas State Technical College--Marshall;

(C) Texas State Technical College--West Texas;

and

(D) Texas State Technical College--Waco.

(a-2) Except as otherwise provided by this subsection,
Subsection (a-1) and this subsection expire September 1, 2007.

Notwithstanding Subsection (a), the annual allocation of funds made

1 under Subsection (a) applies only if Section 62.024 is amended by
2 the 79th Legislature, Regular Session, 2005, to increase the amount
3 of the appropriation made under Section 17(a), Article VII, Texas
4 Constitution, for each state fiscal year beginning with the state
5 fiscal year ending August 31, 2008. If Section 62.024 is not
6 amended by the 79th Legislature, Regular Session, 2005, as
7 described by this subsection, then the annual allocation provided
8 by Subsection (a-1) continues to apply to each state fiscal year
9 following the state fiscal biennium ending August 31, 2007, and
10 Subsection (a-1) and this subsection do not expire.

11 SECTION 2. Section 62.024, Education Code, is amended to
12 read as follows:

13 Sec. 62.024. AMOUNT OF ALLOCATION INCREASED. In accordance
14 with [~~Article VII,~~] Section 17(a), Article VII, [~~of the~~] Texas
15 Constitution, for each state fiscal year beginning with the state
16 fiscal year ending August 31, 2008, the amount of the annual
17 constitutional appropriation under that subsection is increased to
18 \$262.5 million. Before the state fiscal year ending August 31,
19 2008, the amount of the annual constitutional appropriation under
20 that subsection is \$175 million.

21 SECTION 3. Section 62.027(c), Education Code, is amended to
22 read as follows:

23 (c) The increase provided by the amendment to Section 62.024
24 enacted by the 79th Legislature, Regular Session, 2005, in the
25 amount of the appropriation made under Section 17(a), Article VII,
26 Texas Constitution, for each state fiscal year beginning with the
27 state fiscal year ending August 31, 2008, constitutes the increase

1 in accordance with Section 17(a) that the legislature considers
2 appropriate for the five-year period ~~[is valid and effective]~~
3 beginning September 1, 2005 ~~[1995]~~.

4 SECTION 4. Section 62.021(e), Education Code, is repealed.

5 SECTION 5. (a) Except as provided by Subsection (b) of this
6 section, this Act takes effect September 1, 2005.

7 (b) Sections 2 and 3 of this Act take effect only if this Act
8 is approved by a vote of two-thirds of the membership of each house
9 of the legislature as required by Section 17(a), Article VII, Texas
10 Constitution.

H.B. No. 3001

President of the Senate

Speaker of the House

I certify that H.B. No. 3001 was passed by the House on May 5, 2005, by the following vote: Yeas 139, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3001 on May 29, 2005, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3001 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor