

BILL ANALYSIS

C.S.S.B. 105
By: West, Royce
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Dallas-Fort Worth area is the 5th largest and only Standard Metropolitan Statistical Area in the United States that does not have a public law school. The state's population has jumped from 14.3 million to 22.5 million with no additional legal education being added, causing the state to have a limited number of seats available for Texans to attain an affordable public law education in Texas. With the continuous economical growth of the Dallas-Fort Worth region, the need for legal knowledge is increasing. Currently, Dallas itself must import 30 percent of its attorneys from out-of-state law schools. C.S.S.B. 105 allows for the establishment of a school of law for the University of North Texas System and lists the conditions under which it may be funded.

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

SECTION 1: Subchapter J, Chapter 105 of the Education Code is amended by adding language related to the establishment of the University of North Texas (UNT) System School of Law (law school).

Authorizes the board to establish and operate a school of law in the city of Dallas as a professional school of the UNT System. The board may also prescribe courses leading to customary degrees offered at other leading American schools of law and may award those degrees. Provides that after UNT Dallas has established itself as a general academic teaching institution for five years while administered as a professional school of UNT, the school of law will officially be recognized as a professional school at the University of North Texas Dallas campus.

Provides that until the law school becomes a professional school of UNT Dallas, the law school is entitled to formula funding as if the law school were a professional school of a general academic teaching institution. Provides that a feasibility study shall be conducted by the Texas Higher Education Coordinating Board to determine what necessary actions the UNT System will need for its School of Law's accreditation, before the law school is established, not later than June 1, 2008, to be delivered to certain parties.

SECTION 2: Subchapter B, Chapter 55 of the Education Code is amended to add language regarding additional bonds for the University of North Texas System. Provides that the board of regents is given the authority to use bonds in certain ways to facilitate certain needs relating to the law school. Provides for the inclusion of bonds specified with systemwide revenue financing in a sum that must not exceed \$30 million. Provides that the board of regents may pledge to make a certain payment towards the bonds they issue. Provides that the amount the board pledges to pay may not be reduced or abrogated while the bonds are outstanding. Provides that if the board is unable to fulfill that pledge, the board may transfer other funds within the system to meet the requirement. Provides that the UNT System may not issue bonds for facilities at the law school until the date that the law school receives provisional or other appropriate accreditation by a recognized accrediting agency. Provides that if the law school does not receive the provisional or other appropriate accreditation by January 1, 2010, the system's authority to issue bonds for the law school expires on that date.

SECTION 3: Effective date.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Substitute adds SECTION 2 amending Subchapter B, Chapter 55 of the Education Code, relating to additional bonds for the UNT System, to the original bill and makes other non-substantive, conforming and clarifying changes.