

Amend **CSHB 51** (Senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

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

(a) In each state fiscal year beginning with the state fiscal year ending August 31, 2011 [~~2008~~], an eligible institution is entitled to receive an amount allocated in accordance with this section from the 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. An eligible institution may not present a claim to be paid [~~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 for the Texas State Technical College System. The annual amounts allocated by the formula are as follows:

(1) \$3,559,433 [~~\$3,434,348~~] to Midwestern State University;

(2) \$27,846,476 [~~\$26,137,233~~] to the University of North Texas;

(3) \$8,771,265 [~~\$8,139,391~~] to the University of North Texas Health Science Center at Fort Worth;

(4) \$12,311,123 [~~\$12,882,348~~] to The University of Texas--Pan American;

(5) \$5,057,420 [~~\$4,186,790~~] to The University of Texas at Brownsville;

(6) \$8,425,937 [~~\$7,025,771~~] to Stephen F. Austin State University;

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

(A) \$8,330,933 [~~\$11,210,508~~] to Lamar University;

(B) \$2,332,463 to the Lamar Institute of Technology;

(C) \$1,235,752 [~~\$1,115,048~~] to Lamar State College--Orange;

(D) \$1,244,694 [~~(C) \$1,190,119~~] to Lamar State College--Port Arthur;

(E) \$11,893,110 [~~(D) \$9,916,306~~] to Sam Houston State University;

(F) \$21,863,258 [~~(E) \$19,799,276~~] to Texas State University--San Marcos;

(G) \$1,625,061 [~~(F) \$2,043,772~~] to Sul Ross State University; and

(H) \$445,380 [~~(G) \$379,831~~] to Sul Ross State University-Rio Grande College;

(8) \$8,894,700 [~~\$11,156,463~~] to Texas Southern University;

(9) to the following component institutions of the Texas Tech University System:

(A) \$23,936,088 [~~\$26,829,477~~] to Texas Tech University;

(B) \$16,973,569 [~~\$17,849,441~~] to Texas Tech University Health Sciences Center; and

(C) \$3,743,027 [~~\$3,585,802~~] to Angelo State University;

(10) \$10,169,695 [~~\$8,424,209~~] to Texas Woman's University;

(11) to the following component institutions of the University of Houston System:

(A) \$35,885,768 [~~\$35,276,140~~] to the University of Houston;

(B) \$2,393,921 [~~\$2,282,883~~] to the University of Houston--Victoria;

(C) \$5,214,167 [~~\$6,001,337~~] to the University of

Houston--Clear Lake; and

(D) \$7,435,238 [~~\$9,628,151~~] to the University of Houston--Downtown;

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

(A) \$7,139,067 [~~\$8,278,993~~] to Texas A&M University--Corpus Christi;

(B) \$3,796,436 [~~\$3,130,211~~] to Texas A&M International University;

(C) \$5,046,885 [~~\$5,052,232~~] to Texas A&M University--Kingsville;

(D) \$4,652,995 [~~\$4,776,890~~] to West Texas A&M University;

(E) \$5,193,232 [~~\$5,345,678~~] to Texas A&M University--Commerce; and

(F) \$1,307,907 [~~\$1,646,352~~] to Texas A&M University--Texarkana; and

(13) \$5,775,000 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-1) This subsection applies only to the state fiscal years ending August 31, 2009, and August 31, 2010, and is intended as a correction necessary to ensure an equitable distribution of the funds appropriated by Section 17(a), Article VII, Texas Constitution, for the five-year period ending August 31, 2010, in accordance with the equitable formula prescribed by Section 17(d), Article VII, Texas Constitution. In each state fiscal year to which this subsection applies, an eligible institution is entitled to receive an amount allocated in accordance with this subsection from the funds appropriated for each of those years 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. An eligible institution may not present a claim to be paid 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 for the Texas State Technical College System. The annual amounts allocated by the formula are as follows:

(1) \$3,810,377 to Midwestern State University;

(2) \$27,122,687 to the University of North Texas;

(3) \$7,994,676 to the University of North Texas Health Science Center at Fort Worth;

(4) \$13,176,800 to The University of Texas--Pan American;

(5) \$4,284,677 to The University of Texas at Brownsville;

(6) \$6,907,643 to Stephen F. Austin State University;

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

(A) \$8,028,333 to Lamar University;

(B) \$1,825,332 to the Lamar Institute of Technology;

(C) \$1,140,745 to Lamar State College--Orange;

(D) \$1,217,124 to Lamar State College--Port Arthur;

(E) \$10,184,001 to Sam Houston State University;

(F) \$20,258,248 to Texas State University--San Marcos;

(G) \$2,090,896 to Sul Ross State University; and

(H) \$388,203 to Sul Ross State University-Rio Grande College;

(8) \$11,283,387 to Texas Southern University;

(9) to the following component institutions of the Texas Tech University System:

(A) \$27,446,656 to Texas Tech University;

(B) \$14,854,762 to Texas Tech University Health Sciences Center; and

(C) \$3,667,497 to Angelo State University;

(10) \$8,615,167 to Texas Woman's University;

(11) to the following component institutions of the University of Houston System:

(A) \$36,091,538 to the University of Houston;

(B) \$2,335,692 to the University of Houston--Victoria;

(C) \$5,355,874 to the University of Houston--Clear Lake; and

(D) \$9,548,995 to the University of Houston--Downtown;

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

(A) \$8,471,116 to Texas A&M University--Corpus Christi;

(B) \$3,202,241 to Texas A&M International University;

(C) \$5,167,540 to Texas A&M University--Kingsville;

(D) \$4,886,159 to West Texas A&M University;

(E) \$5,684,047 to Texas A&M University--Commerce; and

(F) \$1,684,587 to Texas A&M University--Texarkana; and

(13) \$5,775,000 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) This subsection and Subsection (a-1) expire September 1, 2010.

(e) Whereas the University of North Texas at Dallas was created as an institution of higher education by Chapter 25 (S.B. 576), Acts of the 77th Legislature, Regular Session, 2001, which was approved by a vote of more than two-thirds of the membership of each house of the legislature, the University of North Texas at Dallas is entitled to participate in the funding provided by Section 17, Article VII, Texas Constitution, as soon as the University of North Texas at Dallas operates as a general academic teaching institution.

(f) Pursuant to the annual allocation amounts shown in Subsections (a) and (a-1) for each year of the remaining 10-year allocation period established under Section 17(d), Article VII, Texas Constitution, that ends in 2015, the comptroller shall distribute to the Lamar Institute of Technology a portion of the total annual appropriation under Section 17(a), Article VII, Texas Constitution.

SECTION _____. Section 62.024, Education Code, is amended to read as follows:

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

(2) In SECTION 13 of the bill, strike Subsection (a) of that section (page 7, lines 68 and 69), and substitute the following:

(a) Except as provided by Subsections (b), (c), (d), and (e) of this section, this Act takes effect September 1, 2009.

(3) At the end of SECTION 13 of the bill (page 8, immediately following line 19), add the following:

(e) The sections of this Act amending Sections 62.021, and 62.024, Education Code, take effect immediately if this Act 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, those sections takes effect September 1, 2009. Subsection (d) of this section does not apply to the sections of this Act that amend Sections 62.021 and 62.024, Education Code.