

Amend Floor Amendment No. 1 (floor substitute) by Representative Branch to CSSB 175 as follows:

(1) In the recital to SECTION 1 of the bill (page 1, lines 4 and 5), strike "Subsections (a-1), (a-2), and (g)" and substitute "Subsections (a-1), (a-2), (g), and (h)".

(2) In SECTION 1 of the bill, at the end of amended Section 51.803, Education Code (page 4, between lines 18 and 19), insert the following:

(h) A general academic teaching institution may not offer admission under Subsection (a-1) for an academic year if, on the date of the institution's general deadline for applications for admission of first-time undergraduate students for that academic year:

(1) a final court order applicable to the institution prohibits the institution from considering an applicant's race or ethnicity as a factor in the institution's decisions relating to first-time undergraduate admissions; or

(2) the institution's governing board by rule, policy, or other manner has provided that an applicant's race or ethnicity may not be considered as a factor in the institution's decisions relating to first-time undergraduate admissions, except that this subdivision does not apply to an institution that did not consider, on or before June 1, 2009, an applicant's race or ethnicity as a factor in its admissions of first-time resident undergraduate students for the 2009-2010 academic year.