

## **BILL ANALYSIS**

C.S.H.B. 350  
By: Leibowitz  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, a school district may not enter into an agreement authorizing the use of school district resources for the design, construction, or renovation of improvements to real property not owned or leased by the district. Some school districts and public universities have expressed an interest in jointly building athletic facilities. Doing so would allow them to share the costs of construction of a facility they both could use.

C.S.H.B. 350 allows an independent school district to enter into a contract with an institution of higher education located in whole or in part within the same county under which the district contributes district resources to pay a portion of the costs of the design or construction of an instructional facility or a stadium or other athletic facilities owned by or under the control of the institution of higher education.

### **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**

C.S.H.B. 350 amends the Education Code to authorize an independent school district and an institution of higher education located wholly or partially within the same county to contract for the district to contribute district resources to pay a portion of the costs of the design or construction of an instructional facility, a stadium, or other athletic facilities owned by or under the control of the institution of higher education.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 350 differs from the original by removing the population bracket that made the provisions in the original applicable only to an independent school district and an institution of higher education located, to some extent, within a county with a population of one million or more.

C.S.H.B. 350 differs from the original by including an instructional facility among the types of facilities owned or controlled by the higher education institution whose design or construction could be financed in part by the school district's contribution of district resources, whereas the original limited such facilities to a stadium or other athletic facilities.