

By: Branch, Anchia, Giddings, Oliveira,
Crownover, et al.

H.B. No. 59

Substitute the following for H.B. No. 59:

By: Branch

C.S.H.B. No. 59

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a law school in the city of Dallas
by the University of North Texas System.

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

SECTION 1. Section 105.001, Education Code, is amended to
read as follows:

Sec. 105.001. UNIVERSITY OF NORTH TEXAS SYSTEM. The
University of North Texas System is composed of:

(1) the University of North Texas;

(2) the University of North Texas Health Science
Center at Fort Worth; ~~and~~

(3) the University of North Texas at Dallas; and

(4) the University of North Texas College of Law.

SECTION 2. Section 105.151, Education Code, is amended by
adding Subsection (c-1) and amending Subsection (d) to read as
follows:

(c-1) Venue for a suit filed solely against the University
of North Texas College of Law or against officers or employees of
the University of North Texas College of Law is in Dallas County.

(d) In case of a conflict between Subsection (a), (b), ~~(c)~~
(c), or (c-1) and any other law, Subsection (a), (b), ~~(c)~~, or
(c-1) controls.

SECTION 3. Subchapter J, Chapter 105, Education Code, is
amended by adding Section 105.502 to read as follows:

1 Sec. 105.502. UNIVERSITY OF NORTH TEXAS SYSTEM COLLEGE OF
2 LAW. (a) The board may establish and operate a school of law in
3 the city of Dallas as a professional school of the University of
4 North Texas System.

5 (b) In administering the law school, the board may prescribe
6 courses leading to customary degrees offered at other leading
7 American schools of law and may award those degrees.

8 (c) Until the University of North Texas at Dallas has been
9 administered as a general academic teaching institution for five
10 years, the board shall administer the law school as a professional
11 school of the system. After that period, the law school shall
12 become a professional school of the University of North Texas at
13 Dallas. Until the law school becomes a professional school of the
14 University of North Texas at Dallas, the law school:

15 (1) is considered an institution of higher education
16 under Section 61.003 for all purposes under other law; and

17 (2) is entitled to formula funding as if the law school
18 were a professional school of a general academic teaching
19 institution.

20 (d) Before the board establishes a law school under this
21 section, but not later than June 1, 2010, the Texas Higher Education
22 Coordinating Board shall prepare a feasibility study to determine
23 the actions the system must take to obtain accreditation of the law
24 school. The Texas Higher Education Coordinating Board shall
25 deliver a copy of the study to the chair of each legislative
26 standing committee or subcommittee with jurisdiction over higher
27 education.

1 SECTION 4. Subchapter B, Chapter 55, Education Code, is
2 amended by adding Section 55.1775 to read as follows:

3 Sec. 55.1775. UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL
4 BONDS. (a) In addition to the other authority granted by this
5 subchapter, the board of regents of the University of North Texas
6 System may acquire, purchase, construct, improve, renovate,
7 enlarge, or equip property, buildings, structures, or other
8 facilities, including roads and related infrastructure, for the law
9 school established in the city of Dallas by the University of North
10 Texas System, to be financed by the issuance of bonds in accordance
11 with this subchapter, including bonds issued in accordance with a
12 systemwide revenue financing program and secured as provided by
13 that program, in an aggregate principal amount not to exceed \$40
14 million.

15 (b) The board of regents may pledge irrevocably to the
16 payment of the bonds authorized by this section all or any part of
17 the revenue funds of an institution, branch, or entity of the
18 University of North Texas System, including student tuition
19 charges. The amount of a pledge made under this subsection may not
20 be reduced or abrogated while the bonds for which the pledge is
21 made, or bonds issued to refund those bonds, are outstanding.

22 (c) If sufficient funds are not available to the board of
23 regents to meet its obligations under this section, the board may
24 transfer funds among institutions, branches, and entities of the
25 University of North Texas System to ensure the most equitable and
26 efficient allocation of available resources for each institution,
27 branch, or entity to carry out its duties and purposes.

1 SECTION 5. If this Act receives a vote of at least
2 two-thirds of the membership of each house of the legislature, the
3 University of North Texas College of Law created under Section
4 105.502, Education Code, as added by this Act, is entitled to
5 participate in the funding provided by Section 17, Article VII,
6 Texas Constitution.

7 SECTION 6. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.