

1-1 By: Leibowitz, et al. (Senate Sponsor - Van de Putte) H.B. No. 350
1-2 (In the Senate - Received from the House April 1, 2009;
1-3 April 27, 2009, read first time and referred to Committee on
1-4 Education; May 20, 2009, reported favorably by the following vote:
1-5 Yeas 5, Nays 1; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to use of school district resources for athletic or
1-9 instructional facilities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 11.168, Education Code, is amended to
1-12 read as follows:

1-13 Sec. 11.168. USE OF DISTRICT RESOURCES PROHIBITED FOR
1-14 CERTAIN PURPOSES. Except as provided by Section 45.109(a-1), the
1-15 [The] board of trustees of a school district may not enter into an
1-16 agreement authorizing the use of school district employees,
1-17 property, or resources for the provision of materials or labor for
1-18 the design, construction, or renovation of improvements to real
1-19 property not owned or leased by the district.

1-20 SECTION 2. Section 45.109, Education Code, is amended by
1-21 adding Subsection (a-1) to read as follows:

1-22 (a-1) An independent school district and an institution of
1-23 higher education, as defined by Section 61.003, located wholly or
1-24 partially in the boundaries of the county in which the district is
1-25 located may contract for the district to contribute district
1-26 resources to pay a portion of the costs of the design or
1-27 construction of an instructional facility or a stadium or other
1-28 athletic facilities owned by or under the control of the
1-29 institution of higher education. A district may contribute
1-30 district resources under this subsection only if the district and
1-31 the institution of higher education enter into a written agreement
1-32 authorizing the district to use that facility.

1-33 SECTION 3. This Act takes effect immediately if it receives
1-34 a vote of two-thirds of all the members elected to each house, as
1-35 provided by Section 39, Article III, Texas Constitution. If this
1-36 Act does not receive the vote necessary for immediate effect, this
1-37 Act takes effect September 1, 2009.

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