

By: Brown of Brazos, Aycock, Branch,  
Giddings, Rodriguez, et al.

H.B. No. 746

A BILL TO BE ENTITLED

AN ACT

relating to expanding the availability of classrooms and other  
facilities for use by public colleges and universities.

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

SECTION 1. Section 130.0103(a), Education Code, is amended  
to read as follows:

(a) The board of trustees of a junior college district may  
establish and operate a dual usage educational complex to provide a  
shared facility for the educational activities of the district and  
other participating entities. The board of trustees may enter into  
a cooperative agreement governing the operation and use of the  
complex with the governing bodies of one or more of the following  
entities:

(1) a county, municipality, or school district located  
in whole or in part in the service area of the junior college  
district; or

(2) another institution of higher education [~~with a  
campus or other educational facility located in the same state  
uniform service region as adopted by the coordinating board~~].

SECTION 2. Subchapter Z, Chapter 51, Education Code, is  
amended by adding Section 51.975 to read as follows:

Sec. 51.975. SHARING OF UNDERUSED CLASSROOMS. (a) A public  
institution of higher education shall make the institution's  
classrooms not scheduled for use by the institution or by students,

student organizations, or faculty of the institution between 5 p.m. and 10 p.m. on one or more weekdays or between 8 a.m. and 5 p.m. on one or more Saturdays available for that day to another public institution of higher education on request for teaching courses in the core curriculum, as defined by Section 61.821, or continuing education courses.

(b) A public institution of higher education that under Subsection (a) makes a classroom available to another institution shall continue to make that classroom, or a comparable classroom, available to the other institution for the duration of the semester or other academic term.

(c) An institution of higher education may charge another institution for the use of a classroom under this section at a rate not to exceed the rate permitted for this purpose as determined by the Texas Higher Education Coordinating Board. The coordinating board shall establish those rates in an amount to reimburse the host institution for utility costs and other costs, such as maintenance and custodial services, based on the infrastructure formula funding that the host institution would receive if teaching a course in that space itself for that time.

(d) The Texas Higher Education Coordinating Board shall submit to the legislature a written report for each semester or summer session regarding each public institution of higher education's classroom utilization rates during the times and on the days specified by Subsection (a). The coordinating board shall submit the report as soon as practicable after each semester or summer session and may include the report in another report made by

1 the coordinating board.

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