

1-1 By: Brown of Brazos, et al. H.B. No. 746  
1-2 (Senate Sponsor - Patrick)  
1-3 (In the Senate - Received from the House May 13, 2009;  
1-4 May 14, 2009, read first time and referred to Committee on Higher  
1-5 Education; May 25, 2009, reported favorably, as amended, by the  
1-6 following vote: Yeas 5, Nays 0; May 25, 2009, sent to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Patrick

1-8 Amend H.B. 746 (engrossed version) as follows:

- 1-9 (1) Strike SECTION 1 entirely.  
1-10 (2) In SECTION 2, on page 1, Line 40 strike "shall" and  
1-11 substitute "may".  
1-12 (3) In SECTION 2, on page 1, line 48, strike "institution of  
1-13 higher education" and substitute "junior college".  
1-14 (4) In SECTION 2, strike subsection (d) entirely (page 1,  
1-15 line 62 through page 2, line 7).  
1-16

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to expanding the availability of classrooms and other  
1-20 facilities for use by public colleges and universities.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 130.0103(a), Education Code, is amended  
1-23 to read as follows:

1-24 (a) The board of trustees of a junior college district may  
1-25 establish and operate a dual usage educational complex to provide a  
1-26 shared facility for the educational activities of the district and  
1-27 other participating entities. The board of trustees may enter into  
1-28 a cooperative agreement governing the operation and use of the  
1-29 complex with the governing bodies of one or more of the following  
1-30 entities:

1-31 (1) a county, municipality, or school district located  
1-32 in whole or in part in the service area of the junior college  
1-33 district; or

1-34 (2) another institution of higher education [~~with a~~  
1-35 ~~campus or other educational facility located in the same state~~  
1-36 ~~uniform service region as adopted by the coordinating board~~].

1-37 SECTION 2. Subchapter Z, Chapter 51, Education Code, is  
1-38 amended by adding Section 51.975 to read as follows:

1-39 Sec. 51.975. SHARING OF UNDERUSED CLASSROOMS. (a) A public  
1-40 institution of higher education shall make the institution's  
1-41 classrooms not scheduled for use by the institution or by students,  
1-42 student organizations, or faculty of the institution between 5 p.m.  
1-43 and 10 p.m. on one or more weekdays or between 8 a.m. and 5 p.m. on  
1-44 one or more Saturdays available for that day to another public  
1-45 institution of higher education on request for teaching courses in  
1-46 the core curriculum, as defined by Section 61.821, or continuing  
1-47 education courses.

1-48 (b) A public institution of higher education that under  
1-49 Subsection (a) makes a classroom available to another institution  
1-50 shall continue to make that classroom, or a comparable classroom,  
1-51 available to the other institution for the duration of the semester  
1-52 or other academic term.

1-53 (c) An institution of higher education may charge another  
1-54 institution for the use of a classroom under this section at a rate  
1-55 not to exceed the rate permitted for this purpose as determined by  
1-56 the Texas Higher Education Coordinating Board. The coordinating  
1-57 board shall establish those rates in an amount to reimburse the host  
1-58 institution for utility costs and other costs, such as maintenance  
1-59 and custodial services, based on the infrastructure formula funding  
1-60 that the host institution would receive if teaching a course in that  
1-61 space itself for that time.

1-62 (d) The Texas Higher Education Coordinating Board shall

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