

Suspending limitations on conference committee  
jurisdiction, H.B. No. 51 (Branch/Zaffirini)

By: Branch

H.R. No. 2925

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 81st Legislature, Regular Session, 2009, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 51 (measures to enhance and  
6 maintain the quality of state universities, including funding and  
7 incentives to support emerging public research universities, to the  
8 abolition of the higher education fund, to the institutional  
9 groupings under the Texas Higher Education Coordinating Board's  
10 accountability system, to the independent status of Lamar Institute  
11 of Technology, to research conducted by public universities and  
12 other state entities, and to the authorization of revenue bonds for  
13 certain institutions of higher education) to consider and take  
14 action on the following matter:

15 House Rule 13, Section 9(a)(4), is suspended to permit the  
16 committee to add the following new SECTIONS to the bill:

17 SECTION 2. Subchapter B, Chapter 55, Education Code, is  
18 amended by adding Sections 55.1771 and 55.17721 to read as follows:

19 Sec. 55.1771. TEXAS A&M UNIVERSITY AT GALVESTON. (a) In  
20 addition to the other authority granted by this subchapter and  
21 subject to the other provisions of this section, the board of  
22 regents of The Texas A&M University System may acquire, purchase,  
23 construct, improve, renovate, enlarge, or equip property,  
24 buildings, structures, facilities, roads, or related

1 infrastructure for Texas A&M University at Galveston for an erosion  
2 control breakwater, a dock, or any other related purpose reasonably  
3 necessary to assist the institution to recover from any damage or  
4 other impact caused by Hurricane Ike, to be financed by the issuance  
5 of bonds in accordance with this subchapter, including bonds issued  
6 in accordance with a systemwide revenue financing program and  
7 secured as provided by that program, in an aggregate principal  
8 amount not to exceed \$5 million.

9 (b) The board of regents may pledge irrevocably to the  
10 payment of the bonds authorized by this section all or any part of  
11 the revenue funds of an institution, branch, or entity of The Texas  
12 A&M University System, including student tuition charges. The  
13 amount of a pledge made under this subsection may not be reduced or  
14 abrogated while the bonds for which the pledge is made, or bonds  
15 issued to refund those bonds, are outstanding.

16 (c) If sufficient funds are not available to the board of  
17 regents to meet its obligations under this section, the board may  
18 transfer funds among institutions, branches, and entities of The  
19 Texas A&M University System to ensure the most equitable and  
20 efficient allocation of available resources for each institution,  
21 branch, or entity to carry out its duties and purposes.

22 Sec. 55.17721. THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT  
23 GALVESTON. (a) In addition to the other authority granted by this  
24 subchapter and subject to the other provisions of this section, the  
25 board of regents of The University of Texas System may acquire,  
26 purchase, construct, improve, renovate, enlarge, or equip  
27 property, buildings, structures, facilities, roads, or related

1 infrastructure for The University of Texas Medical Branch at  
2 Galveston for any purpose reasonably necessary to assist the  
3 institution to recover from any damage or other impact caused by  
4 Hurricane Ike, to be financed by the issuance of bonds in accordance  
5 with this subchapter, including bonds issued in accordance with a  
6 systemwide revenue financing program and secured as provided by  
7 that program, in an aggregate principal amount not to exceed \$150  
8 million.

9       (b) The board may pledge irrevocably to the payment of the  
10 bonds authorized by this section all or any part of the revenue  
11 funds of an institution, branch, or entity of The University of  
12 Texas System, including student tuition charges. The amount of a  
13 pledge made under this subsection may not be reduced or abrogated  
14 while the bonds for which the pledge is made, or bonds issued to  
15 refund those bonds, are outstanding.

16       (c) If sufficient funds are not available to the board to  
17 meet its obligations under this section, the board may transfer  
18 funds among institutions, branches, and entities of The University  
19 of Texas System to ensure the most equitable and efficient  
20 allocation of available resources for each institution, branch, or  
21 entity to carry out its duties and purposes.

22       (d) Any transfer of funds to the board pursuant to an  
23 appropriation of state funds to the board or The University of Texas  
24 Medical Branch at Galveston for the purpose of reimbursing the  
25 board for all or part of the debt service on bonds issued under this  
26 section is subject to the prior approval of the Legislative Budget  
27 Board. In determining whether to approve a transfer of state funds

1 for that purpose, the Legislative Budget Board shall consider:

2 (1) whether the commissioners court of the county in  
3 which the medical branch is located has entered into an agreement  
4 with the board under which the county agrees to reimburse the board  
5 for all or part of any otherwise unreimbursed costs incurred by the  
6 medical branch to provide health care services to individuals who  
7 are residents of the county and whose net family income is not more  
8 than 100 percent of the federal poverty level; or

9 (2) whether the county in which the medical branch is  
10 located or a hospital district that includes that county imposes an  
11 ad valorem tax for health care purposes.

12 (e) For purposes of Subsection (d), the county of residence  
13 of an individual is determined in the same manner as provided by  
14 Chapter 61, Health and Safety Code.

15 SECTION 3. Section 61.0572(e), Education Code, is amended  
16 to read as follows:

17 (e) Approval of the board is not required to acquire real  
18 property that is financed by bonds issued under Section 55.17(e)(3)  
19 or (4), 55.1713-55.1718, 55.1721-55.1728, 55.1735(a)(1), 55.174,  
20 55.1742, 55.1743, 55.1744, 55.1751-55.17592, [~~or~~] 55.1768,  
21 55.1771, or 55.17721, except that the board shall review all real  
22 property to be financed by bonds issued under those sections to  
23 determine whether the property meets the standards adopted by the  
24 board for cost, efficiency, and space use. If the property does not  
25 meet those standards, the board shall notify the governor, the  
26 lieutenant governor, the speaker of the house of representatives,  
27 and the Legislative Budget Board.

1           SECTION 4. Section 61.058(b), Education Code, is amended to  
2 read as follows:

3           (b) This section does not apply to construction, repair, or  
4 rehabilitation financed by bonds issued under Section 55.17(e)(3)  
5 or (4), 55.1713-55.1718, 55.1721-55.1728, 55.174, 55.1742,  
6 55.1743, 55.1744, 55.1751-55.17592, [~~or~~] 55.1768, 55.1771, or  
7 55.17721, except that the board shall review all construction,  
8 repair, or rehabilitation to be financed by bonds issued under  
9 those sections to determine whether the construction,  
10 rehabilitation, or repair meets the standards adopted by board rule  
11 for cost, efficiency, and space use. If the construction,  
12 rehabilitation, or repair does not meet those standards, the board  
13 shall notify the governor, the lieutenant governor, the speaker of  
14 the house of representatives, and the Legislative Budget Board.

15           Explanation: This addition is necessary to enable the  
16 governing boards of Texas A&M University at Galveston and The  
17 University of Texas Medical Branch at Galveston to issue tuition  
18 revenue bonds to finance capital improvements at those institutions  
19 that are reasonably necessary to assist the institutions in  
20 recovering from any damage or other impact caused by Hurricane Ike.