

By: Shapiro

S.B. No. 172

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to financial incentives and other assistance to develop  
3 and maintain excellence in specific programs and fields of study at  
4 public institutions of higher education.

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

6 SECTION 1. Section 61.059, Education Code, is amended by  
7 adding Subsection (o) to read as follows:

8 (o) In addition to the other funding recommendations  
9 required by this section, biennially the board shall determine the  
10 amount that the board considers appropriate for purposes of  
11 providing funding under Section 61.0596 in the following state  
12 fiscal biennium to carry out the purposes of that section and shall  
13 make recommendations to the governor and the Legislative Budget  
14 Board for funding those programs in that biennium. To the extent  
15 the board considers appropriate, the board may include funding to  
16 be provided under Section 61.0596 in the formulas established under  
17 this section.

18 SECTION 2. Subchapter C, Chapter 61, Education Code, is  
19 amended by adding Section 61.0596 to read as follows:

20 Sec. 61.0596. INCENTIVE FUNDING FOR EXCELLENCE IN SPECIFIC  
21 PROGRAMS AND FIELDS. (a) The board shall administer this section  
22 to encourage and assist institutions of higher education to develop  
23 and maintain specific programs or fields of study of the highest  
24 national rank or recognition for that type of program or field.

1        (b) From money available for the purpose, the board shall  
2 award incentive grants to institutions of higher education the  
3 board considers to have demonstrated the greatest commitment to  
4 success in developing or improving a designated program or field of  
5 study toward attaining the highest national rank or recognition.  
6 An institution must use money received under this section to  
7 develop, improve, or maintain the quality of the program or field  
8 for which the grant is awarded.

9        (c) An institution of higher education may designate only  
10 one program at a time for consideration for new funding under this  
11 section. The institution may change its designation with the  
12 consent of the board. If the board determines that an institution  
13 has met all the applicable benchmarks for the institution's  
14 designated program or field of study, the institution may designate  
15 another program or field of study for consideration for new funding  
16 under this section.

17        (d) The board shall establish a series of benchmarks  
18 applicable to each program or field of study designated by an  
19 institution of higher education under this section. The  
20 institution becomes eligible for funding for each benchmark the  
21 board determines that the institution has met. The board shall  
22 establish the amount of funding for each benchmark met in a manner  
23 that provides an effective incentive and reasonable financial  
24 support to assist the institution to continue its efforts to meet  
25 the remaining benchmarks for its designated program or field.

26        (e) Unless the board determines that a different number of  
27 benchmarks is appropriate, the board shall establish three

1 benchmarks for each designated program or field of study. The board  
2 shall employ or contract with one or more persons who have relevant  
3 expertise and do not reside in this state to assist the board in  
4 establishing the benchmarks and associated funding levels for each  
5 type of program or field of study designated by an institution of  
6 higher education under this section.

7 (f) In addition to supporting the programs designated by  
8 institutions of higher education for consideration to receive  
9 incentive funding under this section, from money available for the  
10 purpose, the board shall provide additional money as the board  
11 determines appropriate to assist institutions in maintaining the  
12 excellence of programs or fields of study that have achieved the  
13 highest national ranking or recognition for that type of program or  
14 field.

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