

By: Duncan

S.B. No. 2146

Substitute the following for S.B. No. 2146:

By: Branch

C.S.S.B. No. 2146

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the annual allocation of certain constitutional funds
3 to eligible agencies and institutions of higher education.

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

5 SECTION 1. Section 62.021, Education Code, is amended by
6 amending Subsection (a) and adding Subsections (a-1), (a-2), (e),
7 and (f) to read as follows:

8 (a) In each state fiscal year beginning with the state
9 fiscal year ending August 31, 2011 [~~2009~~], an eligible institution
10 is entitled to receive an amount allocated in accordance with this
11 section from the funds appropriated for that year by Section 17(a),
12 Article VII, Texas Constitution. The comptroller shall distribute
13 funds allocated under this subsection only on presentation of a
14 claim and issuance of a warrant in accordance with Section 403.071,
15 Government Code. An eligible institution may not present a claim to
16 be paid [~~The comptroller may not issue a warrant~~] from any funds
17 allocated under this subsection before the delivery of goods or
18 services described in Section 17, Article VII, Texas Constitution,
19 except for the payment of principal or interest on bonds or notes or
20 for a payment for a book or other published library material as
21 authorized by Section 2155.386, Government Code. The allocation of
22 funds under this subsection is made in accordance with an equitable
23 formula consisting of the following elements: space deficit,
24 facilities condition, institutional complexity, and a separate

1 allocation for the Texas State Technical College System. The
2 annual amounts allocated by the formula are as follows:

3 (1) \$3,559,433 [~~\$3,434,348~~] to Midwestern State
4 University;

5 (2) \$27,846,476 [~~\$26,137,233~~] to the University of
6 North Texas;

7 (3) \$8,771,265 [~~\$8,139,391~~] to the University of North
8 Texas Health Science Center at Fort Worth;

9 (4) \$12,311,123 [~~\$12,882,348~~] to The University of
10 Texas--Pan American;

11 (5) \$5,057,420 [~~\$4,186,790~~] to The University of Texas
12 at Brownsville;

13 (6) \$8,425,937 [~~\$7,025,771~~] to Stephen F. Austin State
14 University;

15 (7) to the following component institutions of the
16 Texas State University System:

17 (A) \$8,330,933 [~~\$11,210,508~~] to Lamar
18 University;

19 (B) \$2,332,463 to the Lamar Institute of
20 Technology;

21 (C) \$1,235,752 [~~\$1,115,048~~] to Lamar State
22 College--Orange;

23 (D) \$1,244,694 [~~(C) \$1,190,119~~] to Lamar State
24 College--Port Arthur;

25 (E) \$11,893,110 [~~(D) \$9,916,306~~] to Sam Houston
26 State University;

27 (F) \$21,863,258 [~~(E) \$19,799,276~~] to Texas

1 State University--San Marcos;
2 (G) \$1,625,061 [~~(F) \$2,043,772~~] to Sul Ross
3 State University; and
4 (H) \$445,380 [~~(G) \$379,831~~] to Sul Ross State
5 University-Rio Grande College;
6 (8) \$8,894,700 [~~\$11,156,463~~] to Texas Southern
7 University;
8 (9) to the following component institutions of the
9 Texas Tech University System:
10 (A) \$23,936,088 [~~\$26,829,477~~] to Texas Tech
11 University;
12 (B) \$16,973,569 [~~\$17,849,441~~] to Texas Tech
13 University Health Sciences Center; and
14 (C) \$3,743,027 [~~\$3,585,802~~] to Angelo State
15 University;
16 (10) \$10,169,695 [~~\$8,424,209~~] to Texas Woman's
17 University;
18 (11) to the following component institutions of the
19 University of Houston System:
20 (A) \$35,885,768 [~~\$35,276,140~~] to the University
21 of Houston;
22 (B) \$2,393,921 [~~\$2,282,883~~] to the University of
23 Houston--Victoria;
24 (C) \$5,214,167 [~~\$6,001,337~~] to the University of
25 Houston--Clear Lake; and
26 (D) \$7,435,238 [~~\$9,628,151~~] to the University of
27 Houston--Downtown;

1 (12) to the following component institutions of The
2 Texas A&M University System:

3 (A) \$7,139,067 [~~\$8,278,993~~] to Texas A&M
4 University--Corpus Christi;

5 (B) \$3,796,436 [~~\$3,130,211~~] to Texas A&M
6 International University;

7 (C) \$5,046,885 [~~\$5,052,232~~] to Texas A&M
8 University--Kingsville;

9 (D) \$4,652,995 [~~\$4,776,890~~] to West Texas A&M
10 University;

11 (E) \$5,193,232 [~~\$5,345,678~~] to Texas A&M
12 University--Commerce; and

13 (F) \$1,307,907 [~~\$1,646,352~~] to Texas A&M
14 University--Texarkana; and

15 (13) \$5,775,000 to the Texas State Technical College
16 System Administration and the following component campuses, but not
17 its extension centers or programs:

18 (A) Texas State Technical College--Harlingen;

19 (B) Texas State Technical College--Marshall;

20 (C) Texas State Technical College--West Texas;

21 and

22 (D) Texas State Technical College--Waco.

23 (a-1) This subsection applies only to the state fiscal years
24 ending August 31, 2009, and August 31, 2010, and is intended as a
25 correction necessary to ensure an equitable distribution of the
26 funds appropriated by Section 17(a), Article VII, Texas
27 Constitution, for the five-year period ending August 31, 2010, in

1 accordance with the equitable formula prescribed by Section 17(d),
2 Article VII, Texas Constitution. In each state fiscal year to which
3 this subsection applies, an eligible institution is entitled to
4 receive an amount allocated in accordance with this subsection from
5 the funds appropriated for each of those years by Section 17(a),
6 Article VII, Texas Constitution. The comptroller shall distribute
7 funds allocated under this subsection only on presentation of a
8 claim and issuance of a warrant in accordance with Section 403.071,
9 Government Code. An eligible institution may not present a claim to
10 be paid from any funds allocated under this subsection before the
11 delivery of goods or services described in Section 17, Article VII,
12 Texas Constitution, except for the payment of principal or interest
13 on bonds or notes or for a payment for a book or other published
14 library material as authorized by Section 2155.386, Government
15 Code. The allocation of funds under this subsection is made in
16 accordance with an equitable formula consisting of the following
17 elements: space deficit, facilities condition, institutional
18 complexity, and a separate allocation for the Texas State Technical
19 College System. The annual amounts allocated by the formula are as
20 follows:

- 21 (1) \$3,810,377 to Midwestern State University;
22 (2) \$27,122,687 to the University of North Texas;
23 (3) \$7,994,676 to the University of North Texas Health
24 Science Center at Fort Worth;
25 (4) \$13,176,800 to The University of Texas--Pan
26 American;
27 (5) \$4,284,677 to The University of Texas at

1 Brownsville;
2 (6) \$6,907,643 to Stephen F. Austin State University;
3 (7) to the following component institutions of the
4 Texas State University System:
5 (A) \$8,028,333 to Lamar University;
6 (B) \$1,825,332 to the Lamar Institute of
7 Technology;
8 (C) \$1,140,745 to Lamar State College--Orange;
9 (D) \$1,217,124 to Lamar State College--Port
10 Arthur;
11 (E) \$10,184,001 to Sam Houston State University;
12 (F) \$20,258,248 to Texas State University--San
13 Marcos;
14 (G) \$2,090,896 to Sul Ross State University; and
15 (H) \$388,203 to Sul Ross State University-Rio
16 Grande College;
17 (8) \$11,283,387 to Texas Southern University;
18 (9) to the following component institutions of the
19 Texas Tech University System:
20 (A) \$27,446,656 to Texas Tech University;
21 (B) \$14,854,762 to Texas Tech University Health
22 Sciences Center; and
23 (C) \$3,667,497 to Angelo State University;
24 (10) \$8,615,167 to Texas Woman's University;
25 (11) to the following component institutions of the
26 University of Houston System:
27 (A) \$36,091,538 to the University of Houston;

1 (B) \$2,335,692 to the University of
2 Houston--Victoria;

3 (C) \$5,355,874 to the University of
4 Houston--Clear Lake; and

5 (D) \$9,548,995 to the University of
6 Houston--Downtown;

7 (12) to the following component institutions of The
8 Texas A&M University System:

9 (A) \$8,471,116 to Texas A&M University--Corpus
10 Christi;

11 (B) \$3,202,241 to Texas A&M International
12 University;

13 (C) \$5,167,540 to Texas A&M
14 University--Kingsville;

15 (D) \$4,886,159 to West Texas A&M University;

16 (E) \$5,684,047 to Texas A&M
17 University--Commerce; and

18 (F) \$1,684,587 to Texas A&M
19 University--Texarkana; and

20 (13) \$5,775,000 to the Texas State Technical College
21 System Administration and the following component campuses, but not
22 its extension centers or programs:

23 (A) Texas State Technical College--Harlingen;

24 (B) Texas State Technical College--Marshall;

25 (C) Texas State Technical College--West Texas;

26 and

27 (D) Texas State Technical College--Waco.

1 (a-2) This subsection and Subsection (a-1) expire September
2 1, 2010.

3 (e) Whereas the University of North Texas at Dallas was
4 created as an institution of higher education by Chapter 25 (S.B.
5 576), Acts of the 77th Legislature, Regular Session, 2001, which
6 was approved by a vote of more than two-thirds of the membership of
7 each house of the legislature, the University of North Texas at
8 Dallas is entitled to participate in the funding provided by
9 Section 17, Article VII, Texas Constitution, as soon as the
10 University of North Texas at Dallas operates as a general academic
11 teaching institution.

12 (f) Pursuant to the annual allocation amounts shown in
13 Subsections (a) and (a-1) for each year of the remaining 10-year
14 allocation period established under Section 17(d), Article VII,
15 Texas Constitution, that ends in 2015, the comptroller shall
16 distribute to the Lamar Institute of Technology a portion of the
17 total annual appropriation under Section 17(a), Article VII, Texas
18 Constitution.

19 SECTION 2. Section 62.024, Education Code, is amended to
20 read as follows:

21 Sec. 62.024. AMOUNT OF ALLOCATION INCREASED. In accordance
22 with Section 17(a), Article VII, Texas Constitution, for each state
23 fiscal year beginning with the state fiscal year ending August 31,
24 2008, the amount of the annual constitutional appropriation under
25 that subsection is increased to \$262.5 million. [~~Before the state~~
26 ~~fiscal year ending August 31, 2008, the amount of the annual~~
27 ~~constitutional appropriation under that subsection is \$175~~

1 ~~million.]~~

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.