

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 28, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB4189** by Rose (Relating to the conduct of compliance programs by institutions of higher education.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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Provisions of the bill would allow institutions of higher education that maintain a compliance program to establish procedures to provide private access to a compliance office, maintain anonymity of individuals who make a compliance report or participate in a compliance investigation, and preserve confidentiality of communications.

Under provisions of the bill, certain information would be confidential if the related individual does not consent to its disclosure. Information produced that would interfere with an ongoing compliance investigation would be excepted from disclosure under Government Code Chapter 552. The information would be available to a law enforcement agency or prosecutor for official purposes.

Under provisions of the bill, before registering a student must provide a certificate evidencing that the student has been vaccinated against bacterial meningitis. The bill applies to first-time students, including transfer students, who reside in an on-campus dormitory or housing facility at the institution. A student is not required to comply if an affidavit or a certificate is presented stating that the vaccination would be injurious to the health and well-being of the student or stating that the vaccination has been declined for reasons of conscience. The bill would be known as the Jamie Schanbaum Act.

Provisions of the bill would be implemented within current resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

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