

SENATE AMENDMENTS

2nd Printing

By: Brown of Brazos, Aycock, Branch,
Giddings, Rodriguez, et al.

H.B. No. 746

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

Sec. 51.975. SHARING OF UNDERUSED CLASSROOMS. (a) A public institution of higher education shall make the institution's classrooms not scheduled for use by the institution or by students,

student organizations, or faculty of the institution between 5 p.m. and 10 p.m. on one or more weekdays or between 8 a.m. and 5 p.m. on one or more Saturdays available for that day to another public institution of higher education on request for teaching courses in the core curriculum, as defined by Section 61.821, or continuing education courses.

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

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

(d) The Texas Higher Education Coordinating Board shall submit to the legislature a written report for each semester or summer session regarding each public institution of higher education's classroom utilization rates during the times and on the days specified by Subsection (a). The coordinating board shall submit the report as soon as practicable after each semester or summer session and may include the report in another report made by

1 the coordinating board.

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.

ADOPTED

MAY 27 2009

Atty. Gen.
Secretary of the Senate

COMMITTEE AMENDMENT NO. 1

BY: 

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

2 (1) Strike SECTION 1 entirely.

3 (2) In SECTION 2, on page 1, line 23, strike "shall" and
4 substitute "may".

5 (3) In SECTION 2, on page 2, line 4, strike "institution of
6 higher education" and substitute "junior college".

7 (4) In SECTION 2, strike subsection (d) entirely (page 2, line
8 21 through page 3, line 1).

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: HB746 by Brown, Fred (Relating to expanding the availability of classrooms and other facilities for use by public colleges and universities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, a public institution of higher education may make the institution's classrooms not scheduled for use by the institution, student organizations, or faculty available to other institutions from 5pm to 10pm during the weekdays or on Saturday available to another public junior college to teach courses in the core curriculum. The institutions could not charge the other institution for the use of their classroom. It is assumed that any savings associated with the bill would be offset by operational costs (such things as utilities) and formula increases generated by the increase in weighted semester credit hours.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 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

LBB Staff: JOB, KK, RT, GO

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 25, 2009

TO: Honorable Judith Zaffirini, Chair, Senate Committee on Higher Education

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

IN RE: HB746 by Brown, Fred (relating to expanding the availability of classrooms and other facilities for use by public colleges and universities.), **Committee Report 2nd House, As Amended**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, a public institution of higher education may make the institution's classrooms not scheduled for use by the institution, student organizations, or faculty available to other institutions from 5pm to 10pm during the weekdays or on Saturday available to another public junior college to teach courses in the core curriculum. The institutions could not charge the other institution for the use of their classroom. It is assumed that any savings associated with the bill would be offset by operational costs (such things as utilities) and formula increases generated by the increase in weighted semester credit hours.

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Source Agencies: 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

LBB Staff: JOB, KK, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

TO: Honorable Judith Zaffirini, Chair, Senate Committee on Higher Education

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

IN RE: HB746 by Brown, Fred (Relating to expanding the availability of classrooms and other facilities for use by public colleges and universities.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB746, As Engrossed: a negative impact of (\$296,058) through the biennium ending August 31, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$158,780)
2011	(\$137,278)
2012	(\$137,278)
2013	(\$137,278)
2014	(\$137,278)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2010	(\$158,780)
2011	(\$137,278)
2012	(\$137,278)
2013	(\$137,278)
2014	(\$137,278)

Fiscal Year	Change in Number of State Employees from FY 2009
2010	2.0
2011	2.0
2012	2.0
2013	2.0
2014	2.0

Fiscal Analysis

Under provisions of the bill, an institution would be required to make classrooms not scheduled for use by the institution, student organizations or faculty, available to other institutions from 6pm to 10pm during the week to teach courses in the core curriculum. The institutions could not charge the other institution for the use their classroom.

The bill would also require the Higher Education Coordinating Board to submit to the legislature a written report for each semester or summer session regarding each public institution of higher education's classroom utilization rates.

Methodology

It is assumed that any savings associated with expanding the availability of classrooms and other facilities would be offset by operational costs (such things as utilities) and formula increases generated by the increase in weighted semester credit hours.

Currently, the Higher Education Coordinating Board only computes utilization rates for public senior colleges and universities once a year. They do not receive inventory information for junior colleges or other agencies of higher education. The bill would require increased information and reporting demands on classroom utilization to now include all public institutions of higher education, which includes any public technical institute, public junior college, public senior college or university, medical or dental unit, public state college, or other agency of higher education. To execute the utilization study, the Higher Education Coordinating Board would need facilities inventory data, as well as class data, for the additional institutions. The Higher Education Coordinating Board has indicated they would need to hire 2 program directors at an estimated cost for salary and benefits of \$158,780 in fiscal year 2010 and \$137,278 annually for fiscal year 2011 through fiscal year 2014 to implement provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, KK, RT, GO

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 5, 2009

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

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

IN RE: HB746 by Brown, Fred (Relating to making underused classrooms of public institutions of higher education available for use by other public colleges and universities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, an institution would be required to make classrooms not scheduled for use by the institution, student organizations or faculty, available to other institutions from 6pm to 10pm during the week to teach courses in the core curriculum. The institutions could not charge the other institution for the use their classroom. It is assumed that any savings associated with the bill would be offset by operational costs (such things as utilities) and formula increases generated by the increase in weighted semester credit hours.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 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

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