

SENATE AMENDMENTS

2nd Printing

By: Rose, Branch

H.B. No. 4149

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a study and report by the Texas Higher Education
3 Coordinating Board regarding achievable cost-saving measures at
4 public institutions of higher education.

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

6 SECTION 1. Subchapter C, Chapter 61, Education Code, is
7 amended by adding Section 61.0664 to read as follows:

8 Sec. 61.0664. STUDY OF ACHIEVABLE COST-SAVING MEASURES;
9 REPORT. (a) The board shall conduct a study to identify achievable
10 cost-saving measures in the management and operation of
11 institutions of higher education.

12 (b) Not later than January 31, 2011, the board shall report
13 the results of the study required by Subsection (a) to the governor,
14 lieutenant governor, speaker of the house of representatives, and
15 presiding officer for each legislative standing committee with
16 primary jurisdiction over higher education. The report must
17 include:

18 (1) the board's recommendations concerning
19 cost-saving measures that are achievable at institutions of higher
20 education; and

21 (2) an estimate of the amount of money that would be
22 saved during a five-year period through the implementation of each
23 recommendation.

24 (c) This section expires January 31, 2011.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.

ADOPTED

MAY 21 2009

Leroy Spaw
Secretary of the Senate

By: Zaffrini

H.B. No. 4149

Substitute the following for H.B. No. 4149:

By: Zaffrini

C.S.H.B. No. 4149

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain studies and reports by the Texas Higher
3 Education Coordinating Board regarding achievable cost-saving
4 measures and the use and availability of electronic textbooks at
5 institutions of higher education.

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

7 SECTION 1. Subchapter C, Chapter 61, Education Code, is
8 amended by adding Section 61.0664 to read as follows:

9 Sec. 61.0664. STUDY OF ACHIEVABLE COST-SAVING MEASURES;
10 REPORT. (a) The board shall conduct a study to identify achievable
11 cost-saving measures in the management and operation of
12 institutions of higher education.

13 (b) Not later than January 31, 2011, the board shall report
14 the results of the study required by Subsection (a) to the governor,
15 lieutenant governor, speaker of the house of representatives, and
16 presiding officer for each legislative standing committee with
17 primary jurisdiction over higher education. The report must
18 include:

19 (1) the board's recommendations concerning
20 cost-saving measures that are achievable at institutions of higher
21 education; and

22 (2) an estimate of the amount of money that would be
23 saved during a five-year period through the implementation of each
24 recommendation.

1 (c) This section expires January 31, 2011.

2 SECTION 2. Subchapter C, Chapter 61, Education Code, is
3 amended by adding Section 61.0665 to read as follows:

4 Sec. 61.0665. STUDY ON USE AND AVAILABILITY OF ELECTRONIC
5 TEXTBOOKS. (a) The board shall conduct a study and recommend
6 policies regarding the use and availability of electronic textbooks
7 in higher education in this state and in other states. The study
8 and policy recommendations must include a specific focus on the
9 results of the pilot program implemented by The University of Texas
10 at Austin with respect to the use of electronic textbooks and must
11 address methods for encouraging the use of electronic textbooks at
12 public or private institutions of higher education in this state.

13 (b) Each student regent serving under Section 51.355 or
14 51.356 shall assist the board in performing the board's duties
15 under Subsection (a). The board shall establish procedures to
16 assist a student regent in complying with this subsection.

17 (c) The board may solicit and accept gifts and grants from
18 any public or private source to conduct the study and develop policy
19 recommendations under this section.

20 (d) Not later than December 1, 2010, the board shall make an
21 initial report and recommendations based on the study to the
22 governor, lieutenant governor, speaker of the house of
23 representatives, and presiding officer of each legislative
24 standing committee with primary jurisdiction over higher
25 education. This subsection expires January 31, 2011.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

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

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

IN RE: HB4149 by Rose (Relating to certain studies and reports by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures and the use and availability of electronic textbooks at institutions of higher education.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, the Higher Education Coordinating Board would be required to conduct a study to identify achievable cost-savings measures in the management and operation of institutions of higher education. The Board would submit the study no later than January 31, 2011. The bill would also require the Higher Education Coordinating board to conduct a study, and recommend polices, regarding the use and availability of electronic textbooks in Texas, and in other states. The study would specifically include a focus on the results of a pilot program conducted by the University of Texas at Austin and address methods to encourage the use of electronic textbooks. Any costs associated with the study would be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, SD, KK, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 13, 2009

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

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

IN RE: **HB4149** by Rose (relating to certain studies and reports by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures and the use and availability of electronic textbooks at institutions of higher education.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, the Higher Education Coordinating Board would be required to conduct a study to identify achievable cost-savings measures in the management and operation of institutions of higher education. The Board would submit the study no later than January 31, 2011. The bill would also require the Higher Education Coordinating board to conduct a study, and recommend polices, regarding the use and availability of electronic textbooks in Texas, and in other states. The study would specifically include a focus on the results of a pilot program conducted by the University of Texas at Austin and address methods to encourage the use of electronic textbooks. Any costs associated with the study would be absorbed within current resources.

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

May 6, 2009

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

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

IN RE: HB4149 by Rose (Relating to a study and report by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures at public institutions of higher education.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, the Higher Education Coordinating Board would be required to conduct a study to identify achievable cost-savings measures in the management and operation of institutions of higher education. The Board would submit the study no later than January 31, 2011. Any costs associated with the study would be absorbed within current resources.

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 21, 2009

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

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

IN RE: HB4149 by Rose (relating to a study and report by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures at public institutions of higher education.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, the Higher Education Coordinating Board would be required to conduct a study to identify achievable cost-savings measures in the management and operation of institutions of higher education. The Board would submit the study no later than January 31, 2011. Any costs associated with the study would be absorbed within current resources.

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 7, 2009

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

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

IN RE: HB4149 by Rose (Relating to a study and report by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures at public institutions of higher education.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4149, As Introduced: a negative impact of (\$1,000,000) through the biennium ending August 31, 2011.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$1,000,000)
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>General Revenue Fund</i> 1
2010	(\$1,000,000)
2011	\$0
2012	\$0
2013	\$0
2014	\$0

Fiscal Analysis

The bill would require the Higher Education Coordinating Board to conduct an annual study to identify achievable cost-saving measures in the operations of higher education institutions. The study would include examination of potential cost-savings relating to the following aspects of institutional operations: (1) facility utilization, including scheduling weekend and evening classes; (2) staffing; (3) the delivery of instruction and other educational services, including distance learning; (4) management practices; (5) efforts to promote timely graduation of students; (6) energy use; (7) purchasing; and (8) facility construction, acquisition, and maintenance.

Methodology

The Higher Education Coordinating Board has indicated that the study would be outsourced at a total cost of \$1,000,000 in fiscal year 2010. The fiscal impact was calculated based on the estimated hours

to complete the study (4,000) multiplied by \$250 per hour.

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