

BILL ANALYSIS

S.B. 1662
By: West
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This bill is being introduced because of the State Auditor's decision related to the use of state funds for certain Prairie View A&M University Programs.

In the mid-1990s and again in 2000, the comptroller of public accounts (comptroller) allowed state funds to be used for room and board, student travel, and student stipends. The authorization letter stated:

"The Comptroller's Office believes that the expenses necessary to fulfill the requirements of a program that has been authorized by the legislature and established by the board of regents of Prairie View A&M University are payable by the university. This could include such items as room and board, student travel and stipends for students if necessary for the university to achieve its statutory mission."

Prairie View A&M University has used the comptroller's letter as its authority to expend the state funds appropriated for certain programs for room and board, student travel, and student stipend expenditures.

On October 9, 2009, the comptroller acknowledged that the university has used previous correspondence from the comptroller as authority to expend state funds on these items. The letter also states that the comptroller believes that the university does not have statutory authority to make travel-related payments for non-employees and students using state-appropriated funds because Chapter 660 (Travel Expenses), Government Code, and the General Appropriations Act refer to state employees and state business as limitations on the use of state appropriations for travel expenses. The letter states that the institution can use institutional funds for such purposes, but not state-appropriated funds. The letter states that "if the university would like to pay the travel expenses for students and other non-state employees from appropriated funds, we recommend it seek specific authority from the legislature."

The programs affected include the Pre-College Enrichment Program and ACCESS Program, the Research Apprenticeship Program, and the Undergraduate Medical Academy.

As proposed, S.B. 1662 amends current law relating to the payment of certain costs associated with certain educational programs of Prairie View A&M University.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 660.004, Government Code, by adding Subsection (d) to authorize funds appropriated for Prairie View A&M University to be used to pay for costs associated with the university's Academy for Collegiate Excellence and Student Success program, Research

Apprenticeship Program, and the Prairie View A&M Undergraduate Medical Academy, including participant and employee travel expenses and related expenses.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2011.