



13 MAY 14 AM 11:00
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.S.B. No. 215 as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subsections (b), (d), and (e), Section 61.0572, Education Code, are amended to read as follows:

(b) The board shall:

(1) determine formulas for space utilization in all educational and general buildings and facilities at institutions of higher education;

(2) devise and promulgate methods to assure maximum daily and year-round use of educational and general buildings and facilities, including but not limited to maximum scheduling of day and night classes and maximum summer school enrollment;

(3) consider plans for selective standards of admission when institutions of higher education approach capacity enrollment;

(4) require, and assist the public technical institutes, public senior colleges and universities, medical and dental units, and other agencies of higher education in developing long-range campus master plans for campus development;

(5) by rule adopt ~~[endorse, or delay until the next succeeding session of the legislature has the opportunity to approve or disapprove, the proposed purchase of any real property by an institution of higher education, except a public junior college,~~

~~[(6) develop and publish] standards[, rules, and regulations]~~ to guide the board's review ~~[institutions and agencies of higher education in making application for the approval]~~ of new construction and the ~~[major]~~ repair and rehabilitation of all

1 buildings and facilities regardless of proposed use; and

2 (6) ~~[(7)]~~ ascertain that the board's standards and
3 specifications for new construction, repair, and rehabilitation of
4 all buildings and facilities are in accordance with Chapter 469,
5 Government Code ~~[Article 9102, Revised Statutes]~~.

6 (d) ~~[(1)]~~ The board~~[, for purposes of state funding,]~~ may
7 review purchases of ~~[and approve as an addition to an institution's~~
8 ~~educational and general buildings and facilities inventory any]~~
9 improved real property added to an institution's educational and
10 general buildings and facilities inventory ~~[acquired by gifts or~~
11 ~~lease-purchase only if:~~

12 ~~[(A) the institution requests to place the~~
13 ~~improved real property on its educational and general buildings and~~
14 ~~facilities inventory, and~~

15 ~~[(B) the value of the improved real property is~~
16 ~~more than \$300,000 at the time the institution requests the~~
17 ~~property to be added to the educational and general buildings and~~
18 ~~facilities inventory.~~

19 ~~[(2) This subsection does not apply to gifts, grants,~~
20 ~~or lease-purchase arrangements intended for clinical or research~~
21 ~~facilities.~~

22 ~~[(c) Approval of the board is not required to acquire real~~
23 ~~property that is financed by bonds issued under Section 55.17(e)(3)~~
24 ~~or (4), 55.1713-55.1718, 55.1721-55.1728, 55.1735(a)(1), 55.174,~~
25 ~~55.1742, 55.1743, 55.1744, 55.1751-55.17592, 55.1768, 55.1771, or~~
26 ~~55.17721, except that the board shall review all real property to be~~
27 ~~financed by bonds issued under those sections]~~ to determine whether
28 the property meets the standards adopted by the board for cost,
29 efficiency, and space use, but the purchase of the improved real
30 property is not contingent on board review. If the property does
31 not meet those standards, the board shall notify the governor, the

1 lieutenant governor, the speaker of the house of representatives,
2 the governing board of the applicable institution, and the
3 Legislative Budget Board. This subsection does not impair the
4 board's authority to collect data relating to the improved real
5 property that is added each year to the educational and general
6 buildings and facilities inventory of institutions of higher
7 education.

8 SECTION _____. Subsections (a) and (b), Section 61.058,
9 Education Code, are amended to read as follows:

10 (a) This section does not apply to ~~[Except as provided by~~
11 ~~Subsection (b) of this section, the board shall approve or~~
12 ~~disapprove all new construction and repair and rehabilitation of~~
13 ~~all buildings and facilities at institutions of higher education~~
14 ~~financed from any source provided that.~~

15 ~~[(A) the board's consideration and determination~~
16 ~~shall be limited to the purpose for which the new or remodeled~~
17 ~~buildings are to be used to assure conformity with approved space~~
18 ~~utilization standards and the institution's approved programs and~~
19 ~~role and mission if the cost of the project is not more than~~
20 ~~\$4,000,000, but the board may consider cost factors and the~~
21 ~~financial implications of the project to the state if the total cost~~
22 ~~is in excess of \$4,000,000,~~

23 ~~[(B) the requirement of approval for new~~
24 ~~construction applies only to projects the total cost of which is in~~
25 ~~excess of \$4,000,000,~~

26 ~~[(C) the requirement of approval for major repair~~
27 ~~and rehabilitation of buildings and facilities applies only to a~~
28 ~~project the total cost of which is more than \$4,000,000,~~

29 ~~[(D) the requirement of approval or disapproval~~
30 ~~by the board does not apply to any new construction or major repair~~
31 ~~and rehabilitation project that is specifically approved by the~~

1 legislature,

2 ~~[(E) the requirement of approval by the board~~
3 ~~does not apply to a junior college's construction, repair, or~~
4 ~~rehabilitation financed entirely with funds from a source other~~
5 ~~than the state, including funds from ad valorem tax receipts of the~~
6 ~~college, gifts, grants, and donations to the college, and student~~
7 ~~fees, and~~

8 ~~[(F) the requirement of approval by the board~~
9 ~~does not apply to construction, repair, or rehabilitation of~~
10 ~~privately owned buildings and facilities located on land leased~~
11 ~~from an institution of higher education if the construction,~~
12 ~~repair, or rehabilitation is financed entirely from funds not under~~
13 ~~the control of the institution, and provided further that.~~

14 ~~[(i) the]~~ buildings and facilities that are
15 to be used exclusively for auxiliary enterprises~~[+]~~ and

16 ~~[(ii) the buildings and facilities]~~ will
17 not require appropriations from the legislature for operation,
18 maintenance, or repair ~~[unless approval by the board has been~~
19 ~~obtained]~~.

20 (b) The ~~[This section does not apply to construction,~~
21 ~~repair, or rehabilitation financed by bonds issued under Section~~
22 ~~55.17(e)(3) or (4), 55.1713-55.1718, 55.1721-55.1728, 55.174,~~
23 ~~55.1742, 55.1743, 55.1744, 55.1751-55.17592, 55.1768, 55.1771, or~~
24 ~~55.17721, except that the]~~ board may ~~[shall]~~ review all
25 construction, repair, or rehabilitation of buildings and
26 facilities at institutions of higher education ~~[to be financed by~~
27 ~~bonds issued under those sections]~~ to determine whether the
28 construction, rehabilitation, or repair meets the standards
29 adopted by board rule for cost, efficiency, and space use, but the
30 construction, rehabilitation, or repair is not contingent on board
31 review. If the construction, rehabilitation, or repair does not

1 meet those standards, the board shall notify the governor, the
2 lieutenant governor, the speaker of the house of representatives,
3 the governing boards of the applicable institutions, and the
4 Legislative Budget Board. This subsection does not impair the
5 board's authority to collect data relating to the construction,
6 repair, or rehabilitation of buildings and facilities occurring
7 each year at institutions of higher education.

8 (2) In SECTION 41 of the bill (on page 37, between lines 5
9 and 6), insert the following appropriately designated subdivisions
10 and redesignate the other subdivisions of that SECTION
11 appropriately:

12 (____) Section 61.0573;

13 (____) Subsection (c), Section 61.058;

