

BILL ANALYSIS

Senate Research Center

S.B. 1165
By: Hegar
Transportation
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 1165 is to eliminate restrictions that can be narrowly construed as pertaining solely to classroom purposes.

State institutions of higher education have authority to undertake a wide variety of activities that are not strictly educational but that support a university's educational mission, while creating further opportunities for its students.

As an educational resource to the public, the University of Houston builds partnerships with other educational institutions, community organizations, government agencies, and private entities to serve the region. These partnerships enable the university to create additional learning opportunities for its students through internships and other hands-on programs while also partnering with public and private entities with significant cost-savings to the university.

The Fort Bend County library branch at the University of Houston--Sugar Land (UH-Sugarland) is one example of the types of partnerships that mutually benefit university and community. Such partnerships, including the proposed festival site and theatre, benefit UH-Sugarland and the state through enhanced student opportunities, research opportunities, technology discovery and development, and commercialization of the inventions and their associated intellectual property.

S.B. 1165 clarifies the intent of the legislature to enable UH-Sugarland to use property for higher education purposes consistent with the purposes of the university. Doing so will help UH-Sugarland further its mission, achieve revenue potential, and continue its drive for Tier One status.

S.B. 1165 amends current law relating to the use of real property by the University of Houston--Sugar Land.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that the legislature finds that the transfer of real property, on which the University of Houston--Sugar Land (UH-Sugarland) is now located, to the University of Houston System by the Texas Department of Transportation pursuant to Chapter 1243 (H.B. 1961), Acts of the 75th Legislature, Regular Session, 1997, was made in the public interest and continues to serve all public purposes of the state listed in Section 1(a) of Chapter 1243.

SECTION 2. Provides that the legislature finds that the public purpose requirements placed on the property transferred pursuant to Chapter 1243 are served if the property is used for higher education purposes that encompass more than strictly academic pursuits and the language in Chapter 1243 that required the property to be used "only for higher education purposes" is misleading to the extent that it may be construed to imply that the property is reserved for strictly academic pursuits.

SECTION 3. Requires that the ownership and transfer documents for the property, to clarify the intent of the legislature and in accordance with the findings made by this Act, be amended to state that UH-Sugar Land is required to use the property "for higher education purposes" consistent with the purposes of the university.

SECTION 4. Effective date: upon passage or September 1, 2013.