

AN ACT

relating to Prairie View A&M University's eligibility to participate in the research development fund.

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

SECTION 1. Section 62.003(1), Education Code, is amended to read as follows:

(1) Except as otherwise provided by Subchapters C, D, E, F, and G, "eligible institution" means the eligible agencies and institutions of higher education listed in Article VII, Section 17(b), of the Constitution of Texas, and any institution or agency of higher education that is later made eligible to participate in the disbursement of funds pursuant to Article VII, Section 17(c), of the Constitution of Texas.

SECTION 2. Section 62.092(2), Education Code, is amended to read as follows:

(2) "Eligible institution" means a general academic teaching institution, as defined by Section 61.003, other than The University of Texas at Austin or ~~or~~ Texas A&M University ~~or~~ ~~Prairie View A&M University~~.

SECTION 3. Subchapter E, Chapter 62, Education Code, is amended by adding Section 62.0925 to read as follows:

Sec. 62.0925. ELIGIBILITY OF PRAIRIE VIEW A&M UNIVERSITY.

(a) Notwithstanding Section 62.092(2), Prairie View A&M University is an eligible institution for purposes of eligibility for a

1 distribution from the research development fund under this
2 subchapter for a state fiscal year only if the university is not an
3 eligible institution for that fiscal year for purposes of
4 eligibility for an appropriation or distribution from the Texas
5 competitive knowledge fund established under other law.

6 (b) Notwithstanding Section 62.092(2) or Subsection (a) of
7 this section, for the state fiscal biennium ending August 31, 2017,
8 Prairie View A&M University is an eligible institution for purposes
9 of eligibility for a distribution from the research development
10 fund under this subchapter only if the total amount of money
11 appropriated for that state fiscal biennium for distributions from
12 the fund to those eligible institutions that received distributions
13 from the fund in the preceding state fiscal biennium is not less
14 than the total amount of money that was appropriated for
15 distributions from the fund to those eligible institutions for that
16 preceding state fiscal biennium, such that the distribution to
17 Prairie View A&M University of the proportionate share of the fund
18 to which the university is entitled under the methodology
19 prescribed by Section 62.095 for the state fiscal biennium ending
20 August 31, 2017, does not have the effect of reducing the amounts
21 from the fund to which the other eligible institutions are entitled
22 for that state fiscal biennium. This subsection expires January 1,
23 2018.

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

H.B. No. 870

1 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 870 was passed by the House on April 25, 2013, by the following vote: Yeas 135, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 870 on May 26, 2013, by the following vote: Yeas 129, Nays 10, 5 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 870 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor