

1-1 By: Branch, et al. (Senate Sponsor - Birdwell) H.B. No. 2760
 1-2 (In the Senate - Received from the House April 29, 2013;
 1-3 May 3, 2013, read first time and referred to Committee on Higher
 1-4 Education; May 15, 2013, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to partnerships between the Texas State Technical College
 1-18 System and public junior colleges.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Chapter 135, Education Code, is amended by
 1-21 adding Subchapter D to read as follows:

1-22 SUBCHAPTER D. PARTNERSHIPS BETWEEN TEXAS STATE TECHNICAL COLLEGE
 1-23 SYSTEM AND PUBLIC JUNIOR COLLEGES

1-24 Sec. 135.101. DEFINITION. In this subchapter, "public
 1-25 junior college" has the meaning assigned by Section 61.003.

1-26 Sec. 135.102. PARTNERSHIP AGREEMENTS. (a) With the
 1-27 approval of the coordinating board, the board and a public junior
 1-28 college may enter into a partnership agreement designed to
 1-29 coordinate the management and operations of the institutions and to
 1-30 enhance the delivery of technical education programs across this
 1-31 state. The agreement does not abrogate the powers and duties of the
 1-32 boards with regard to the governance of their respective
 1-33 institutions.

1-34 (b) A partnership agreement under this subchapter must:

1-35 (1) provide that the participating institutions, in
 1-36 conjunction with the local community, identify and offer courses
 1-37 that will meet the educational and workforce development goals for
 1-38 the region;

1-39 (2) provide that program offerings receive approval
 1-40 from the coordinating board;

1-41 (3) provide for the distribution of responsibilities
 1-42 regarding specific program offerings and resulting awards;

1-43 (4) provide for the distribution of tuition, fees, and
 1-44 state funds associated with formula funding regarding program
 1-45 offerings; and

1-46 (5) comply with applicable rules of the coordinating
 1-47 board relating to contractual agreements.

1-48 (c) A partnership agreement between the system and a public
 1-49 junior college under this subchapter is considered to be in
 1-50 compliance with Sections 135.04(b) and (c).

1-51 Sec. 135.103. JOINT USE OF PERSONNEL. The governing boards
 1-52 of the participating institutions may fill by joint appointment any
 1-53 administrative, faculty, or support position necessary for the
 1-54 operation of the institutions.

1-55 Sec. 135.104. SUPPORT SERVICES. The governing boards of
 1-56 the participating institutions may assign the management and
 1-57 operation of selected services, including maintenance of buildings
 1-58 and grounds, operation of auxiliary enterprises, and operation of a
 1-59 jointly supported library, to one of the institutions in order to
 1-60 achieve cost-effectiveness.

1-61 Sec. 135.105. FACILITIES. (a) The participating

2-1 institutions may, under the terms of the partnership agreement,
2-2 make provisions for adequate physical facilities for use by the
2-3 institutions.

2-4 (b) The participating institutions may individually or
2-5 collectively lease, purchase, finance, construct, or rehabilitate
2-6 physical facilities under this section appropriate to partnership
2-7 needs. The owning or financing of facilities under this section
2-8 promotes the public purpose of supporting higher education and
2-9 further promotes the public purpose of developing and diversifying
2-10 the economy of this state and eliminating unemployment and
2-11 underemployment in this state under the authority granted by
2-12 Section 52-a, Article III, Texas Constitution.

2-13 (c) A participating institution of higher education may
2-14 lease facilities from or to another participating institution for
2-15 administrative and instructional purposes.

2-16 (d) Participating institutions may solicit, accept, and
2-17 administer, on terms and conditions acceptable to the participating
2-18 institutions, gifts, grants, or donations of any kind and from any
2-19 source for facilities and equipment.

2-20 (e) A facility used for the purposes of a partnership
2-21 agreement under this subchapter is not considered a facility used
2-22 to operate an extension program under Section 135.06.

2-23 Sec. 135.106. STATE FUNDING. The system is entitled to
2-24 receive state appropriations on the same formula basis as if the
2-25 system did not enter into a partnership agreement under this
2-26 subchapter, and any other participating institution of higher
2-27 education is entitled to state appropriations on the same formula
2-28 basis as other similar institutions of higher education.

2-29 SECTION 2. This Act takes effect immediately if it receives
2-30 a vote of two-thirds of all the members elected to each house, as
2-31 provided by Section 39, Article III, Texas Constitution. If this
2-32 Act does not receive the vote necessary for immediate effect, this
2-33 Act takes effect September 1, 2013.

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