

By: Crownover, Howard, Darby, Clardy, et al.

H.B. No. 2848

Substitute the following for H.B. No. 2848:

By: Howard

C.S.H.B. No. 2848

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the amount and allocation of the annual constitutional
3 appropriation to certain agencies and institutions of higher
4 education.

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

6 SECTION 1. Section 62.021, Education Code, is amended by
7 amending Subsections (a) and (e) and adding Subsections (a-1),
8 (a-2), and (e-2) to read as follows:

9 (a) In each state fiscal year beginning with the state
10 fiscal year ending August 31, 2016 [~~2011~~], an eligible institution
11 is entitled to receive an amount allocated in accordance with this
12 section from the funds appropriated for that year by Section 17(a),
13 Article VII, Texas Constitution. The comptroller shall distribute
14 funds allocated under this subsection only on presentation of a
15 claim and issuance of a warrant in accordance with Section 403.071,
16 Government Code. An eligible institution may not present a claim
17 to be paid from any funds allocated under this subsection before the
18 delivery of goods or services described in Section 17, Article VII,
19 Texas Constitution, except for the payment of principal or interest
20 on bonds or notes or for a payment for a book or other published
21 library material as authorized by Section 2155.386, Government
22 Code. The allocation of funds under this subsection is made in
23 accordance with an equitable formula consisting of the following
24 elements: space deficit, facilities condition, institutional

1 complexity, and a separate allocation for the Texas State Technical
2 College System. The annual amounts allocated by the formula are as
3 follows:

4 (1) \$3,374,275 [~~\$3,559,433~~] to Midwestern State
5 University;

6 (2) to the following component institutions of the
7 University of North Texas System:

8 (A) \$25,041,370 [~~\$27,846,476~~] to the University
9 of North Texas;

10 (B) \$11,394,570 [~~(3) \$8,771,265~~] to the
11 University of North Texas Health Science Center at Fort Worth; and

12 (C) \$1,408,669 to the University of North Texas
13 at Dallas, \$135,593 of which must be used for the University of
14 North Texas at Dallas College of Law;

15 (3) \$7,757,442 [~~(4) \$12,311,123 to The University of~~
16 ~~Texas--Pan American;~~

17 [~~(5) \$5,057,420 to The University of Texas at~~
18 ~~Brownsville;~~

19 [~~(6) \$8,425,937~~] to Stephen F. Austin State
20 University;

21 (4) [(7)] to the following component institutions of
22 the Texas State University System:

23 (A) \$9,401,255 [~~\$8,330,933~~] to Lamar University;

24 (B) \$1,720,347 [~~\$2,332,463~~] to the Lamar
25 Institute of Technology;

26 (C) \$1,129,562 [~~\$1,235,752~~] to Lamar State
27 College--Orange;

1 (D) \$1,438,523 [~~\$1,244,694~~] to Lamar State
2 College--Port Arthur;

3 (E) \$11,553,239 [~~\$11,893,110~~] to Sam Houston
4 State University;

5 (F) \$24,775,170 [~~\$21,863,258~~] to Texas State
6 University;

7 (G) \$1,423,682 [~~\$1,625,061~~] to Sul Ross State
8 University; and

9 (H) \$273,825 [~~\$445,380~~] to Sul Ross State
10 University--Rio Grande College;

11 (5) \$7,773,229 [~~(8) \$8,894,700~~] to Texas Southern
12 University;

13 (6) [~~(9)~~] to the following component institutions of
14 the Texas Tech University System:

15 (A) \$32,817,206 [~~\$23,936,088~~] to Texas Tech
16 University;

17 (B) \$15,581,597 [~~\$16,973,569~~] to Texas Tech
18 University Health Sciences Center; [~~and~~]

19 (C) \$3,546,735 [~~\$3,743,027~~] to Angelo State
20 University; and

21 (D) \$4,156,050 to Texas Tech University Health
22 Sciences Center--El Paso;

23 (7) \$9,897,706 [~~(10) \$10,169,695~~] to Texas Woman's
24 University;

25 (8) [~~(11)~~] to the following component institutions of
26 the University of Houston System:

27 (A) \$35,180,036 [~~\$35,885,768~~] to the University

1 of Houston;

2 (B) \$2,850,574 [~~\$2,393,921~~] to the University of
3 Houston--Victoria;

4 (C) \$5,336,744 [~~\$5,214,167~~] to the University of
5 Houston--Clear Lake; and

6 (D) \$7,835,252 [~~\$7,435,238~~] to the University of
7 Houston--Downtown;

8 (9) [~~(12)~~] to the following component institutions of
9 The Texas A&M University System:

10 (A) \$7,424,229 [~~\$7,139,067~~] to Texas A&M
11 University--Corpus Christi;

12 (B) \$4,473,273 [~~\$3,796,436~~] to Texas A&M
13 International University;

14 (C) \$5,977,371 [~~\$5,046,885~~] to Texas A&M
15 University--Kingsville;

16 (D) \$4,776,272 [~~\$4,652,995~~] to West Texas A&M
17 University;

18 (E) \$7,190,875 [~~\$5,193,232~~] to Texas A&M
19 University--Commerce; and

20 (F) \$1,215,922 [~~\$1,307,907~~] to Texas A&M
21 University--Texarkana; and

22 (10) [~~(13)~~] \$5,775,000 to the Texas State Technical
23 College System Administration and the following component
24 campuses, but not its extension centers or programs:

25 (A) Texas State Technical College-Harlingen;

26 (B) Texas State Technical College--Marshall;

27 (C) Texas State Technical College--West Texas;

1 and

2 (D) Texas State Technical College--Waco.

3 (a-1) In each state fiscal year beginning with the state
4 fiscal year ending August 31, 2016, an eligible institution is
5 entitled to receive an amount allocated in accordance with this
6 subsection from the funds appropriated for that year by Section
7 17(a), Article VII, Texas Constitution. The comptroller shall
8 distribute funds allocated under this subsection only on
9 presentation of a claim and issuance of a warrant in accordance with
10 Section 403.071, Government Code. An eligible institution may not
11 present a claim to be paid from any funds allocated under this
12 subsection before the delivery of goods or services described in
13 Section 17, Article VII, Texas Constitution, except for the payment
14 of principal or interest on bonds or notes or for a payment for a
15 book or other published library material as authorized by Section
16 2155.386, Government Code. The allocation of funds under this
17 subsection is made in accordance with an equitable formula
18 consisting of the following elements: space deficit, facilities
19 condition, institutional complexity, and a separate allocation for
20 the Texas State Technical College System. The annual amounts
21 allocated by the formula are as follows:

22 (1) \$5,061,412 to Midwestern State University;

23 (2) to the following component institutions of the
24 University of North Texas System:

25 (A) \$37,562,056 to the University of North Texas;

26 (B) \$17,091,856 to the University of North Texas

27 Health Science Center at Fort Worth; and

1 (C) \$2,113,004 to the University of North Texas
2 at Dallas, \$203,390 of which must be used for the University of
3 North Texas at Dallas College of Law;

4 (3) \$11,636,163 to Stephen F. Austin State University;
5 (4) to the following component institutions of the
6 Texas State University System:

7 (A) \$14,101,882 to Lamar University;
8 (B) \$2,580,521 to the Lamar Institute of
9 Technology;

10 (C) \$1,694,343 to Lamar State College--Orange;
11 (D) \$2,157,784 to Lamar State College--Port
12 Arthur;

13 (E) \$17,329,858 to Sam Houston State University;
14 (F) \$37,162,755 to Texas State University;
15 (G) \$2,135,523 to Sul Ross State University; and
16 (H) \$410,738 to Sul Ross State University-Rio
17 Grande College;

18 (5) \$11,659,843 to Texas Southern University;
19 (6) to the following component institutions of the
20 Texas Tech University System:

21 (A) \$49,225,809 to Texas Tech University;
22 (B) \$23,372,396 to Texas Tech University Health
23 Sciences Center;

24 (C) \$5,320,102 to Angelo State University; and
25 (D) \$6,234,075 to Texas Tech University Health
26 Sciences Center--El Paso;

27 (7) \$14,846,558 to Texas Woman's University;

1 (8) to the following component institutions of the
2 University of Houston System:

3 (A) \$52,770,054 to the University of Houston;

4 (B) \$4,275,861 to the University of
5 Houston--Victoria;

6 (C) \$8,005,116 to the University of
7 Houston--Clear Lake; and

8 (D) \$11,752,877 to the University of
9 Houston--Downtown;

10 (9) to the following component institutions of The
11 Texas A&M University System:

12 (A) \$11,136,344 to Texas A&M University--Corpus
13 Christi;

14 (B) \$6,709,910 to Texas A&M International
15 University;

16 (C) \$8,966,056 to Texas A&M
17 University--Kingsville;

18 (D) \$7,164,408 to West Texas A&M University;

19 (E) \$10,786,313 to Texas A&M
20 University--Commerce; and

21 (F) \$1,823,883 to Texas A&M
22 University--Texarkana; and

23 (10) \$8,662,500 to the Texas State Technical College
24 System Administration and the following component campuses, but not
25 its extension centers or programs:

26 (A) Texas State Technical College--Harlingen;

27 (B) Texas State Technical College--Marshall;

1 (C) Texas State Technical College--West Texas;

2 and

3 (D) Texas State Technical College--Waco.

4 (a-2) Except as otherwise provided by this subsection,
5 Subsection (a) and this subsection expire September 1, 2015.

6 Notwithstanding Subsection (a-1), the annual allocation of funds
7 made under Subsection (a-1) applies only if the 84th Legislature in
8 Regular Session, 2015, increases the amount of the annual
9 constitutional appropriation to an amount sufficient to fund that
10 allocation and includes an appropriation for that amount in a
11 general appropriations act for the state fiscal biennium that
12 begins September 1, 2015. If the 84th Legislature in Regular
13 Session, 2015, does not increase the amount of the annual
14 constitutional appropriation to that amount and include an
15 appropriation for that amount in a general appropriations act for
16 that biennium, then Subsection (a-1) has no effect and Subsection
17 (a) and this subsection do not expire.

18 (e) Whereas the University of North Texas at Dallas was
19 created as an institution of higher education by Chapter 25 (S.B.
20 576), Acts of the 77th Legislature, Regular Session, 2001, which
21 was approved by a vote of more than two-thirds of the membership of
22 each house of the legislature, and was certified by the
23 coordinating board to operate as a general academic teaching
24 institution in April 2009, the University of North Texas at Dallas
25 is entitled to participate in the funding provided by Section 17,
26 Article VII, Texas Constitution[, ~~as soon as the University of~~
27 ~~North Texas at Dallas operates as a general academic teaching~~

1 institution]. Whereas the University of North Texas at Dallas
2 College of Law, which was previously designated by Chapter 1213
3 (S.B. 956), Acts of the 81st Legislature, Regular Session, 2009, as
4 an institution of higher education until such time the University
5 of North Texas at Dallas had been in operation as a general academic
6 teaching institution for a period of five years, now operates as a
7 professional school within the University of North Texas at Dallas
8 as a result of the expiration of that period, the allocation to the
9 University of North Texas at Dallas under this section includes an
10 amount attributable to the University of North Texas at Dallas
11 College of Law as part of the university.

12 (e-2) Whereas The University of Texas--Pan American and The
13 University of Texas at Brownsville were consolidated into a general
14 academic teaching institution that is excluded from participation
15 in the funding provided by Section 17, Article VII, Texas
16 Constitution, by Chapter 726 (S.B. 24), Acts of the 83rd
17 Legislature, Regular Session, 2013, which was approved by a vote of
18 more than two-thirds of the membership of each house of the
19 legislature, The University of Texas--Pan American and The
20 University of Texas at Brownsville are omitted from the allocation
21 of funds under this section.

22 SECTION 2. Section 62.024, Education Code, is amended to
23 read as follows:

24 Sec. 62.024. AMOUNT OF ALLOCATION INCREASED. In accordance
25 with Section 17(a), Article VII, Texas Constitution, for each state
26 fiscal year beginning with the state fiscal year ending August 31,
27 2016 [~~2008~~], the amount of the annual constitutional appropriation

1 under that subsection is increased to \$393.75 [~~\$262.5~~] million.

2 SECTION 3. Section 62.027(c), Education Code, is amended to
3 read as follows:

4 (c) The increase provided by the amendment to Section 62.024
5 enacted by the 84th [~~79th~~] Legislature, Regular Session, 2015
6 [~~2005~~], in the amount of the appropriation made under Section
7 17(a), Article VII, Texas Constitution, for each state fiscal year
8 beginning with the state fiscal year ending August 31, 2016 [~~2008~~],
9 constitutes the increase in accordance with Section 17(a) that the
10 legislature considers appropriate for the five-year period
11 beginning September 1, 2015 [~~2005~~].

12 SECTION 4. The amounts allocated under Section 62.021,
13 Education Code, as amended by this Act, apply to each state fiscal
14 year beginning with the state fiscal year beginning September 1,
15 2015.

16 SECTION 5. (a) Except as provided by Subsection (b) of this
17 section, this Act takes effect August 31, 2015.

18 (b) Sections 2 and 3 of this Act take effect as provided by
19 Subsection (a) of this section only if this Act is approved by a
20 vote of two-thirds of the membership of each house of the
21 legislature as required by Section 17(a), Article VII, Texas
22 Constitution.