

By: Crownover

H.B. No. 2848

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) \$3,379,470 [~~\$3,559,433~~] to Midwestern State University;

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

(A) \$25,042,534 [~~\$27,846,476~~] to the University of North Texas;

(B) \$11,421,485 [~~(3) \$8,771,265~~] to the University of North Texas Health Science Center at Fort Worth; and

(C) \$1,413,160 to the University of North Texas at Dallas, \$135,593 of which must be used for the University of North Texas at Dallas College of Law;

(3) \$7,771,442 [~~(4) \$12,311,123 to The University of Texas--Pan American;~~

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

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

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

(A) \$9,428,194 [~~\$8,330,933~~] to Lamar University;

(B) \$1,727,149 [~~\$2,332,463~~] to the Lamar Institute of Technology;

(C) \$1,131,113 [~~\$1,235,752~~] to Lamar State College--Orange;

(D) \$1,443,480 [~~\$1,244,694~~] to Lamar State
College--Port Arthur;

(E) \$11,582,737 [~~\$11,893,110~~] to Sam Houston
State University;

(F) \$24,947,203 [~~\$21,863,258~~] to Texas State
University;

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

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

(5) \$7,797,261 [~~(8) \$8,894,700~~] to Texas Southern
University;

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

(A) \$32,931,070 [~~\$23,936,088~~] to Texas Tech
University;

(B) \$15,593,680 [~~\$16,973,569~~] to Texas Tech
University Health Sciences Center; [~~and~~]

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

(D) \$3,992,371 to Texas Tech University Health
Sciences Center--El Paso;

(7) \$9,923,753 [~~(10) \$10,169,695~~] to Texas Woman's
University;

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

(A) \$34,971,004 [~~\$35,885,768~~] to the University

of Houston;

(B) \$2,734,237 [~~\$2,393,921~~] to the University of
Houston--Victoria;

(C) \$5,344,649 [~~\$5,214,167~~] to the University of
Houston--Clear Lake; and

(D) \$7,840,943 [~~\$7,435,238~~] to the University of
Houston--Downtown;

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

(A) \$7,387,111 [~~\$7,139,067~~] to Texas A&M
University--Corpus Christi;

(B) \$4,489,683 [~~\$3,796,436~~] to Texas A&M
International University;

(C) \$5,981,629 [~~\$5,046,885~~] to Texas A&M
University--Kingsville;

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

(E) \$7,210,163 [~~\$5,193,232~~] to Texas A&M
University--Commerce; and

(F) \$1,218,965 [~~\$1,307,907~~] to Texas A&M
University--Texarkana; and

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

(A) Texas State Technical College-Harlingen;

(B) Texas State Technical College--Marshall;

(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) \$5,069,204 to Midwestern State University;

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

25 (A) \$37,563,802 to the University of North Texas;

26 (B) \$17,132,227 to the University of North Texas
27 Health Science Center at Fort Worth; and

1 (C) \$2,119,741 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) \$11,657,164 to Stephen F. Austin State University;

5 (4) to the following component institutions of the
6 Texas State University System:

7 (A) \$14,142,291 to Lamar University;

8 (B) \$2,590,723 to the Lamar Institute of
9 Technology;

10 (C) \$1,696,670 to Lamar State College--Orange;

11 (D) \$2,165,220 to Lamar State College--Port
12 Arthur;

13 (E) \$17,374,106 to Sam Houston State University;

14 (F) \$37,420,804 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) \$11,695,891 to Texas Southern University;

19 (6) to the following component institutions of the
20 Texas Tech University System:

21 (A) \$49,396,605 to Texas Tech University;

22 (B) \$23,390,520 to Texas Tech University Health
23 Sciences Center;

24 (C) \$5,320,102 to Angelo State University; and

25 (D) \$5,988,556 to Texas Tech University Health
26 Sciences Center--El Paso;

27 (7) \$14,885,630 to Texas Woman's University;

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

(A) \$52,456,505 to the University of Houston;

(B) \$4,101,356 to the University of Houston--Victoria;

(C) \$8,016,974 to the University of Houston--Clear Lake; and

(D) \$11,761,415 to the University of Houston--Downtown;

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

(A) \$11,080,666 to Texas A&M University--Corpus Christi;

(B) \$6,734,524 to Texas A&M International University;

(C) \$8,972,444 to Texas A&M University--Kingsville;

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

(E) \$10,815,244 to Texas A&M University--Commerce; and

(F) \$1,828,447 to Texas A&M University--Texarkana; and

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

(A) Texas State Technical College--Harlingen;

(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 College of Law,
2 which was previously designated by Chapter 1213 (S.B. 956), Acts of
3 the 81st Legislature, Regular Session, 2009, as an institution of
4 higher education until such time the University of North Texas at
5 Dallas had been in operation as a general academic teaching
6 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 College of Law
11 as of 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

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

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

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

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

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

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