

By: Muñoz, Jr.

H.B. No. 3492

A BILL TO BE ENTITLED

AN ACT

relating to a permanent endowment to support the construction, acquisition, improvement, and equipping of buildings, facilities, and other improvements at public junior colleges.

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

SECTION 1. Chapter 62, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. DISTRIBUTIONS FROM

PERMANENT PUBLIC COMMUNITY COLLEGE FUND

Sec. 62.161. PURPOSE. The purpose of this subchapter is to provide for an equitable allocation of the funds available under Section 21, Article VII, Texas Constitution, to support the construction, acquisition, improvement, and equipping of buildings, facilities, and other improvements at public junior colleges.

Sec. 62.162. DEFINITIONS. In this subchapter:

(1) "Eligible institution" means a junior college district.

(2) "Fund" means the permanent public community college fund.

Sec. 62.163. ALLOCATIONS. (a) Beginning with the first state fiscal year for which the comptroller certifies that, based on the assets in the fund, there is sufficient purchasing power in the fund to allocate money for the purposes of this subchapter, an

1 eligible institution is entitled to receive an amount allocated in  
2 accordance with this subchapter from the amounts distributed for  
3 that year from the permanent public community college fund created  
4 by Section 21, Article VII, Texas Constitution.

5 (b) The comptroller shall distribute amounts allocated  
6 under this subchapter only on presentation of a claim and issuance  
7 of a warrant in accordance with Section 403.071, Government Code.  
8 An eligible institution may not present a claim to be paid from any  
9 amount allocated under this subchapter before the delivery of goods  
10 or services, except for the payment of principal or interest on  
11 bonds or notes or for a payment for a book or other published  
12 library material as authorized by Section 2155.386, Government  
13 Code.

14 (c) In each state fiscal year, the comptroller shall  
15 distribute to eligible institutions the total amount appropriated  
16 from the fund for that fiscal year. The amount shall be allocated  
17 to the eligible institutions based on an equitable formula adopted  
18 by the legislature to carry out the purposes of the fund as  
19 established by Section 21, Article VII, Texas Constitution. The  
20 coordinating board may make recommendations regarding the  
21 equitable formula and may provide assistance regarding the formula  
22 as directed by the legislature.

23 Sec. 62.164. USE OF ALLOCATED AMOUNTS. (a) An eligible  
24 institution may use money received under this subchapter only for  
25 the purposes prescribed by Section 21, Article VII, Texas  
26 Constitution.

27 (b) Money received in a fiscal year by an eligible

1 institution under this subchapter that is not used in that fiscal  
2 year by the institution may be held and used by the institution in  
3 subsequent fiscal years for the purposes prescribed by this  
4 subchapter.

5 SECTION 2. This Act takes effect January 1, 2016, but only  
6 if the constitutional amendment proposed by the 84th Legislature,  
7 Regular Session, 2015, to support the construction, acquisition,  
8 improvement, and equipping of buildings, facilities, and other  
9 improvements at public junior and community colleges is approved by  
10 the voters. If that constitutional amendment is not approved by the  
11 voters, this Act has no effect.