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S.B. No. 1191

A BILL TO BE ENTITLED

AN ACT

1  
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 Subsection (e-2) to  
8 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 to  
17 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) \$5,061,412 [~~\$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) \$37,562,056 [~~\$27,846,476~~] to the University  
9 of North Texas;

10 (B) \$17,091,856 [~~(3) \$8,771,265~~] to the  
11 University of North Texas Health Science Center at Fort Worth; and

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

15 (3) \$11,636,163 [~~(4) \$12,311,123 to The University~~  
16 ~~of 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) \$14,101,882 [~~\$8,330,933~~] to Lamar  
24 University;

25 (B) \$2,580,521 [~~\$2,332,463~~] to the Lamar  
26 Institute of Technology;

27 (C) \$1,694,343 [~~\$1,235,752~~] to Lamar State

- 1 College--Orange;
- 2 (D) \$2,157,784 [~~\$1,244,694~~] to Lamar State
- 3 College--Port Arthur;
- 4 (E) \$17,329,858 [~~\$11,893,110~~] to Sam Houston
- 5 State University;
- 6 (F) \$37,162,755 [~~\$21,863,258~~] to Texas State
- 7 University;
- 8 (G) \$2,135,523 [~~\$1,625,061~~] to Sul Ross State
- 9 University; and
- 10 (H) \$410,738 [~~\$445,380~~] to Sul Ross State
- 11 University-Rio Grande College;
- 12 (5) \$11,659,843 [~~(8) \$8,894,700~~] to Texas Southern
- 13 University;
- 14 (6) [~~(9)~~] to the following component institutions of
- 15 the Texas Tech University System:
- 16 (A) \$49,225,809 [~~\$23,936,088~~] to Texas Tech
- 17 University;
- 18 (B) \$23,372,396 [~~\$16,973,569~~] to Texas Tech
- 19 University Health Sciences Center; [~~and~~]
- 20 (C) \$5,320,102 [~~\$3,743,027~~] to Angelo State
- 21 University; and
- 22 (D) \$6,234,075 to Texas Tech University Health
- 23 Sciences Center--El Paso;
- 24 (7) \$14,846,558 [~~(10) \$10,169,695~~] to Texas Woman's
- 25 University;
- 26 (8) [~~(11)~~] to the following component institutions of
- 27 the University of Houston System:

1 (A) \$52,770,054 [~~\$35,885,768~~] to the University  
2 of Houston;

3 (B) \$4,275,861 [~~\$2,393,921~~] to the University of  
4 Houston--Victoria;

5 (C) \$8,005,116 [~~\$5,214,167~~] to the University of  
6 Houston--Clear Lake; and

7 (D) \$11,752,877 [~~\$7,435,238~~] to the University  
8 of Houston--Downtown;

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

11 (A) \$11,136,346 [~~\$7,139,067~~] to Texas A&M  
12 University--Corpus Christi;

13 (B) \$6,709,910 [~~\$3,796,436~~] to Texas A&M  
14 International University;

15 (C) \$8,966,056 [~~\$5,046,885~~] to Texas A&M  
16 University--Kingsville;

17 (D) \$7,164,408 [~~\$4,652,995~~] to West Texas A&M  
18 University;

19 (E) \$10,786,313 [~~\$5,193,232~~] to Texas A&M  
20 University--Commerce; and

21 (F) \$1,823,883 [~~\$1,307,907~~] to Texas A&M  
22 University--Texarkana; and

23 (10) \$8,662,500 [~~(13) \$5,775,000~~] to the Texas State  
24 Technical College System Administration and the following  
25 component campuses, but not 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 (e) Whereas the University of North Texas at Dallas was  
5 created as an institution of higher education by Chapter 25 (S.B.  
6 576), Acts of the 77th Legislature, Regular Session, 2001, which  
7 was approved by a vote of more than two-thirds of the membership of  
8 each house of the legislature, and was certified by the  
9 coordinating board to operate as a general academic teaching  
10 institution in April 2009, the University of North Texas at Dallas  
11 is entitled to participate in the funding provided by Section 17,  
12 Article VII, Texas Constitution[~~, as soon as the University of~~  
13 ~~North Texas at Dallas operates as a general academic teaching~~  
14 ~~institution]~~. Whereas the University of North Texas at Dallas  
15 College of Law, which was previously designated by Chapter 1213  
16 (S.B. 956), Acts of the 81st Legislature, Regular Session, 2009, as  
17 an institution of higher education until such time the University  
18 of North Texas at Dallas had been in operation as a general academic  
19 teaching institution for a period of five years, now operates as a  
20 professional school within the University of North Texas at Dallas  
21 as a result of the expiration of that period, the allocation to the  
22 University of North Texas at Dallas under this section includes an  
23 amount attributable to the University of North Texas at Dallas  
24 College of Law as a part of the university.

25 (e-2) Whereas The University of Texas-Pan American and The  
26 University of Texas at Brownsville were consolidated into a general  
27 academic teaching institution that is excluded from participation

1 in the funding provided by Section 17, Article VII, Texas  
2 Constitution, by Chapter 726 (S.B. 24), Acts of the 83rd  
3 Legislature, Regular Session, 2013, which was approved by a vote of  
4 more than two-thirds of the membership of each house of the  
5 legislature, The University of Texas-Pan American and The  
6 University of Texas at Brownsville are omitted from the allocation  
7 of funds under this section.

8 SECTION 2. Section 62.024, Education Code, is amended to  
9 read as follows:

10 Sec. 62.024. AMOUNT OF ALLOCATION INCREASED. In accordance  
11 with Section 17(a), Article VII, Texas Constitution, for each state  
12 fiscal year beginning with the state fiscal year ending August 31,  
13 2016 [~~2008~~], the amount of the annual constitutional appropriation  
14 under that subsection is increased to \$393.75 [~~\$262.5~~] million.

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

17 (c) The increase provided by the amendment to Section 62.024  
18 enacted by the 84th [~~79th~~] Legislature, Regular Session, 2015  
19 [~~2005~~], in the amount of the appropriation made under Section  
20 17(a), Article VII, Texas Constitution, for each state fiscal year  
21 beginning with the state fiscal year ending August 31, 2016 [~~2008~~],  
22 constitutes the increase in accordance with Section 17(a) that the  
23 legislature considers appropriate for the five-year period  
24 beginning September 1, 2015 [~~2005~~].

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

1 2015.

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

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