

By: Rodríguez

S.B. No. 437

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of a public law school in El Paso  
3 County.

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

5 SECTION 1. Subchapter C, Chapter 61, Education Code, is  
6 amended by adding Section 61.0907 to read as follows:

7 Sec. 61.0907. EL PASO SCHOOL OF LAW. (a) The governing  
8 board of a university system may establish and operate, as a  
9 professional school of the system, a school of law in El Paso County  
10 as the governing board considers appropriate.

11 (b) In administering the law school, the governing board may  
12 prescribe courses leading to customary degrees offered at other  
13 leading American schools of law and may award those degrees.

14 (c) The governing board may assign responsibility for the  
15 management of the law school to a general academic teaching  
16 institution in the university system.

17 (d) The governing board may accept and administer gifts and  
18 grants from any public or private person or entity for the use and  
19 benefit of the law school. Notwithstanding any other provision of  
20 this section, establishment of a law school is subject to the  
21 availability of funding, either through appropriation or from  
22 another source.

23 (e) The governing board of a university system that intends  
24 to establish a law school under this section shall notify the Texas

1 Higher Education Coordinating Board. If the coordinating board  
2 receives notice from a governing board under this subsection, the  
3 coordinating board shall provide a statement regarding that  
4 intention on its Internet website and provide the other governing  
5 boards with a reasonable opportunity to notify the coordinating  
6 board of an intent to establish a law school under this section. If  
7 the coordinating board receives notice from more than one governing  
8 board under this subsection, the coordinating board, based on  
9 community and student input, available system resources, the  
10 feasibility of the specific proposal of each system, and other  
11 appropriate criteria, shall determine which of those governing  
12 boards may establish a law school under this section.

13 (f) Before a governing board establishes a law school under  
14 this section, the governing board shall request the coordinating  
15 board to prepare a feasibility study to determine the actions the  
16 system must take to obtain accreditation of the law school. The  
17 coordinating board shall deliver a copy of the study to the  
18 governing board and to the chair of each legislative standing  
19 committee with jurisdiction over higher education.

20 (g) Not more than one law school may be established under  
21 this section.

22 SECTION 2. Subchapter B, Chapter 55, Education Code, is  
23 amended by adding Section 55.178 to read as follows:

24 Sec. 55.178. UNIVERSITY SYSTEM ESTABLISHING EL PASO SCHOOL  
25 OF LAW; ADDITIONAL BONDS. (a) In addition to the other authority  
26 granted by this subchapter, the governing board of the university  
27 system that establishes an El Paso school of law under Section

1 61.0907 may acquire, purchase, construct, improve, renovate,  
2 enlarge, or equip property, buildings, structures, or other  
3 facilities, including roads and related infrastructure, for the law  
4 school, to be financed by the issuance of bonds in accordance with  
5 this subchapter, including bonds issued in accordance with a  
6 systemwide revenue financing program and secured as provided by  
7 that program, in an aggregate principal amount not to exceed \$40  
8 million.

9 (b) The governing board may pledge irrevocably to the  
10 payment of the bonds authorized by this section all or any part of  
11 the revenue funds of an institution, branch, or entity of the  
12 university system described by Subsection (a), including student  
13 tuition charges. The amount of a pledge made under this subsection  
14 may not be reduced or abrogated while the bonds for which the pledge  
15 is made, or bonds issued to refund those bonds, are outstanding.

16 (c) If sufficient funds are not available to the governing  
17 board to meet its obligations under this section, the board may  
18 transfer funds among institutions, branches, and entities of the  
19 university system described by Subsection (a) to ensure the most  
20 equitable and efficient allocation of available resources for each  
21 institution, branch, or entity to carry out its duties and  
22 purposes.

23 SECTION 3. (a) If this Act receives a vote of at least  
24 two-thirds of the membership of each house of the legislature, and  
25 if an El Paso school of law is created by The University of Texas  
26 System or The Texas A&M University System under Section 61.0907,  
27 Education Code, as added by this Act, the El Paso school of law is

1 entitled to participate in the funding provided by Section 18,  
2 Article VII, Texas Constitution, for the appropriate university  
3 system.

4 (b) If this Act receives a vote of at least two-thirds of the  
5 membership of each house of the legislature, and if an El Paso  
6 school of law is created under Section 61.0907, Education Code, as  
7 added by this Act, by a university system other than a system  
8 described by Subsection (a) of this section, the El Paso school of  
9 law is entitled to participate in the funding provided by Section  
10 17, Article VII, Texas Constitution. Before the first periodic  
11 allocation of funding under Section 17, Article VII, is made that  
12 includes the El Paso school of law, the legislature may reallocate  
13 the total amount allocated to institutions under that section to  
14 allow for the allocation to the law school.

15 SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2017.