

## **BILL ANALYSIS**

C.S.S.B. 709  
By: West  
Appropriations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Constitutional provisions relating to the higher education fund authorize periodic reallocations of fund distributions. Based on consultations with certain institutions of higher education, C.S.S.B. 709 seeks to implement recommendations by the Texas Higher Education Coordinating Board regarding the use of the fund by reallocating distributions beginning with the 2021 fiscal year and making certain other updates.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 709 amends the Education Code to increase, for each state fiscal year beginning with the 2021 state fiscal year, the annual amounts allocated to certain public institutions and agencies of higher education from the higher education fund to the amounts specified by the bill for each institution. The bill expressly sets an expiration date of September 1, 2020, for the annual amounts allocated to the applicable institutions and agencies from the fund for each state fiscal year beginning with the 2017 state fiscal year. The bill, beginning with the 2020 state fiscal year and with continuing applicability in each state fiscal year beginning with the 2021 state fiscal year, removes from the allocation to the University of North Texas at Dallas an amount specifically attributable to the University of North Texas at Dallas College of Law and includes Texas State Technical College--Fort Bend and Texas State Technical College--North Texas among the component campuses of the Texas State Technical College System to which a part of that system's allocation is attributable.

C.S.S.B. 709 removes the prior approval of the legislature and the approval, review, or endorsement, as applicable, of the Texas Higher Education Coordinating Board as conditions on the authority of each governing board participating in the distribution of funds from the higher education fund to expend those funds for new construction, land acquisition projects, and major repair and rehabilitation projects in excess of \$600,000. The bill specifies that the purposes for which a governing board may expend the funds include purchasing or contracting for cloud computing services or other intangible assets with an expected useful life or for a contract period of more than one year.

C.S.S.B. 709 repeals Sections 62.021(a-2) and (f), Education Code.

**EFFECTIVE DATE**

August 31, 2019.

**COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

C.S.S.B. 709 differs from the engrossed in minor or nonsubstantive ways by removing an obsolete statutory reference.