

By: West, et al.
(Frullo, Stucky, Zerwas, Walle, et al.)

S.B. No. 709

Substitute the following for S.B. No. 709:

By: Howard

C.S.S.B. No. 709

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the allocation and use 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), (a-1), (b), and (c) and adding Subsection
8 (a-3) to read as follows:

9 (a) In each state fiscal year beginning with the state
10 fiscal year ending August 31, 2021 [~~2016~~], 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) \$4,933,200 [~~\$3,374,275~~] to Midwestern State
5 University;

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

8 (A) \$37,346,563 [~~\$25,041,370~~] to the University
9 of North Texas;

10 (B) \$15,125,502 [~~\$11,394,570~~] to the University
11 of North Texas Health Science Center at Fort Worth; and

12 (C) \$3,354,441 [~~\$1,408,669~~] to the University of
13 North Texas at Dallas [~~,\$135,593 of which must be used for the~~
14 ~~University of North Texas at Dallas College of Law~~];

15 (3) \$11,277,793 [~~\$7,757,442~~] to Stephen F. Austin
16 State University;

17 (4) to the following component institutions of the
18 Texas State University System:

19 (A) \$13,141,181 [~~\$9,401,255~~] to Lamar
20 University;

21 (B) \$2,553,130 [~~\$1,720,347~~] to the Lamar
22 Institute of Technology;

23 (C) \$1,488,396 [~~\$1,129,562~~] to Lamar State
24 College--Orange;

25 (D) \$2,217,102 [~~\$1,438,523~~] to Lamar State
26 College--Port Arthur;

27 (E) \$18,236,811 [~~\$11,553,239~~] to Sam Houston

1 State University;

2 (F) \$37,606,478 [~~\$24,775,170~~] to Texas State

3 University;

4 (G) \$2,151,723 [~~\$1,423,682~~] to Sul Ross State

5 University; and

6 (H) \$472,890 [~~\$273,825~~] to Sul Ross State

7 University-Rio Grande College;

8 (5) \$11,719,335 [~~\$7,773,229~~] to Texas Southern

9 University;

10 (6) to the following component institutions of the

11 Texas Tech University System:

12 (A) \$49,874,746 [~~\$32,817,206~~] to Texas Tech

13 University;

14 (B) \$21,652,392 [~~\$15,581,597~~] to Texas Tech

15 University Health Sciences Center;

16 (C) \$6,792,999 [~~\$3,546,735~~] to Angelo State

17 University; and

18 (D) \$5,557,572 [~~\$4,156,050~~] to Texas Tech

19 University Health Sciences Center--El Paso;

20 (7) \$14,554,133 [~~\$9,897,706~~] to Texas Woman's

21 University;

22 (8) to the following component institutions of the

23 University of Houston System:

24 (A) \$54,514,004 [~~\$35,180,036~~] to the University

25 of Houston;

26 (B) \$3,542,817 [~~\$2,850,574~~] to the University of

27 Houston--Victoria;

1 (C) \$7,726,043 [~~\$5,336,744~~] to the University of
2 Houston--Clear Lake; and

3 (D) \$10,828,344 [~~\$7,835,252~~] to the University
4 of Houston--Downtown;

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

7 (A) \$11,478,824 [~~\$7,424,229~~] to Texas A&M
8 University--Corpus Christi;

9 (B) \$7,462,394 [~~\$4,473,273~~] to Texas A&M
10 International University;

11 (C) \$8,858,060 [~~\$5,977,371~~] to Texas A&M
12 University--Kingsville;

13 (D) \$7,446,495 [~~\$4,776,272~~] to West Texas A&M
14 University;

15 (E) \$11,123,859 [~~\$7,190,875~~] to Texas A&M
16 University--Commerce; and

17 (F) \$2,050,273 [~~\$1,215,922~~] to Texas A&M
18 University--Texarkana; and

19 (10) \$8,662,500 [~~\$5,775,000~~] to the Texas State
20 Technical College System Administration and the following
21 component campuses, but not its extension centers or programs:

22 (A) Texas State Technical College-Harlingen;

23 (B) Texas State Technical College--Marshall;

24 (C) Texas State Technical College--West Texas;

25 [~~and~~]

26 (D) Texas State Technical College--Waco;

27 (E) Texas State Technical College--Fort Bend;

1 and

2 (F) Texas State Technical College--North Texas.

3 (a-1) In [~~each state fiscal year beginning with~~] the state
4 fiscal year ending August 31, 2020 [~~2017~~], an eligible institution
5 is 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) \$5,061,412 to Midwestern State University;

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

25 (A) \$37,562,056 to the University of North Texas;

26 (B) \$17,091,856 to the University of North Texas

27 Health Science Center at Fort Worth; and

1 (C) \$2,113,004 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) \$11,636,163 to Stephen F. Austin State University;

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

7 (A) \$14,101,882 to Lamar University;

8 (B) \$2,580,521 to the Lamar Institute of
9 Technology;

10 (C) \$1,694,343 to Lamar State College--Orange;

11 (D) \$2,157,784 to Lamar State College--Port
12 Arthur;

13 (E) \$17,329,858 to Sam Houston State University;

14 (F) \$37,162,755 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) \$11,659,843 to Texas Southern University;

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

21 (A) \$49,225,809 to Texas Tech University;

22 (B) \$23,372,396 to Texas Tech University Health
23 Sciences Center;

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

25 (D) \$6,234,075 to Texas Tech University Health
26 Sciences Center--El Paso;

27 (7) \$14,846,558 to Texas Woman's University;

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

3 (A) \$52,770,054 to the University of Houston;

4 (B) \$4,275,861 to the University of
5 Houston--Victoria;

6 (C) \$8,005,116 to the University of
7 Houston--Clear Lake; and

8 (D) \$11,752,877 to the University of
9 Houston--Downtown;

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

12 (A) \$11,136,344 to Texas A&M University--Corpus
13 Christi;

14 (B) \$6,709,910 to Texas A&M International
15 University;

16 (C) \$8,966,056 to Texas A&M
17 University--Kingsville;

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

19 (E) \$10,786,313 to Texas A&M
20 University--Commerce; and

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

23 (10) \$8,662,500 to the Texas State Technical College
24 System Administration and the following component campuses, but not
25 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) Texas State Technical College--Fort Bend;

5 and

6 (F) Texas State Technical College--North Texas.

7 (a-3) This subsection and Subsection (a-1) expire September
8 1, 2020.

9 (b) Each governing board participating in the distribution
10 of funds as described in this section may expend the funds without
11 limitation, and as the governing board may decide in its sole
12 discretion, for any and all purposes described in Section 17,
13 Article VII, Texas [~~Section 17, of the~~] Constitution, including to
14 purchase or contract for cloud computing services or other
15 intangible assets with an expected useful life or for a contract
16 period of more than one year [~~of Texas, provided, however, that for~~
17 ~~new construction, major repair and rehabilitation projects, and~~
18 ~~land acquisition projects, those funds may not be expended without~~
19 ~~the prior approval of the legislature or the approval, review, or~~
20 ~~endorsement, as applicable, of the coordinating board, and provided~~
21 ~~further that review and approval of major repair and rehabilitation~~
22 ~~shall apply only to projects in excess of \$600,000].~~

23 (c) Each governing board participating in the distribution
24 of funds as described in this section may issue bonds and notes as
25 authorized in Section 17, Article VII, Texas [~~Section 17, of the~~]
26 Constitution [~~of Texas~~]. [~~For purposes of this chapter, the~~
27 ~~governing board of Texas Tech University may issue bonds and notes~~

1 ~~as authorized in Article VII, Section 17, of the Constitution of~~
2 ~~Texas, on behalf of both Texas Tech University and Texas Tech~~
3 ~~University Health Sciences Center, and the annual appropriations of~~
4 ~~both institutions may be combined and pledged by the governing body~~
5 ~~of Texas Tech University in support of such bonds and notes.]~~

6 SECTION 2. Sections 62.021(a-2) and (f), Education Code,
7 are repealed.

8 SECTION 3. (a) The amounts allocated under Section
9 62.021(a-1), Education Code, as amended by this Act, apply to the
10 state fiscal year beginning September 1, 2019.

11 (b) The amounts allocated under Section 62.021(a),
12 Education Code, as amended by this Act, apply to each state fiscal
13 year beginning with the state fiscal year beginning September 1,
14 2020.

15 SECTION 4. This Act takes effect August 31, 2019.