

## **BILL ANALYSIS**

Senate Research Center

S.B. 1126  
By: Springer; Miles  
Higher Education  
5/24/2021  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas Woman's University (TWU) will be 120 years old on April 6, 2021. Founded in 1901, TWU is the largest public university in the nation, primarily for women. With its main campus in Denton and two health science centers in Dallas and Houston, TWU serves more than the north-central region—TWU serves all of Texas.

Interested parties have noted that TWU would benefit from becoming a system because enrollment at TWU has more than doubled since 2000 and Denton, Dallas, and Houston are very different communities. TWU would better serve these communities by allowing TWU institutions to have independent on-site leadership, providing a sense of identity and purpose for each institution, and elevating all three institutions through more focused leadership.

The bill changes Chapter 107 of the Texas Higher Education Code, pertaining to the Texas Woman's University (TWU). The bill prescribes how TWU would become a System and officially authorizes and recognizes TWU Denton, Dallas, and Houston as independent institutions. The bill also makes nonsubstantive and conforming changes.

(Original Author's / Sponsor's Statement of Intent)

S.B. 1126 amends current law relating to the establishment and administration of the Texas Woman's University System.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Chapter 107, Education Code, to read as follows:

#### CHAPTER 107. TEXAS WOMAN'S UNIVERSITY SYSTEM

SECTION 2. Amends Section 107.01, Education Code, as follows:

Sec. 107.01. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. Provides that the Texas Woman's University System (system) is a woman-focused system composed of Texas Woman's University (TWU) and any other institution assigned by law to the governance, control, jurisdiction, and management of the board of regents of the system (board). Deletes existing text providing that TWU is institution of higher education for women with its main campus at Denton.

SECTION 3. Amends Section 107.21, Education Code, as follows:

Sec. 107.21. BOARD OF REGENTS. (a) Creates this subsection from existing text. Provides that the board, rather than the board of regents of TWU, is composed of nine persons, four of whom are required to be women, appointed by the governor with the advice and consent of the Texas Senate.

(b) and (c) Creates these subsections from existing text and makes nonsubstantive changes.

SECTION 4. Amends Section 107.23, Education Code, to make a conforming change.

SECTION 5. Amends Section 107.42, Education Code, as follows:

Sec. 107.42. STAFF. (a) Creates this subsection from existing text. Requires the board to appoint a chief executive officer of the system, rather than a president of TWU.

(b) Requires the chief executive officer of the system to also serve as the president of TWU.

(c) Creates this subsection from existing text and makes a conforming change.

SECTION 6. Amends Section 107.44, Education Code, to make a conforming change.

SECTION 7. Amends Section 107.45(a), Education Code, to make a conforming change.

SECTION 8. Amends Section 107.46, Education Code, to make a conforming change.

SECTION 9. Amends Subchapter C, Chapter 107, Education Code, by adding Section 107.47, as follows:

Sec. 107.47. REPORT ON TRANSITION OF BRANCH LOCATIONS TO COMPONENT INSTITUTIONS. (a) Requires the system, not later than December 1, 2022, using available funding, to prepare and submit to the governor, the lieutenant governor, the speaker of the Texas House of Representatives, and the chairs of the standing legislative committees with primary jurisdiction over appropriations or higher education a report on the transition of the TWU branch locations at Dallas and Houston to component institutions of the system. Requires that the report include:

(1) a strategy for each branch location to attain accreditation by the Southern Association of Colleges and Schools Commission on Colleges;

(2) a strategy for improvement and expansion of facilities, if needed, at each branch location that does not include the use of additional state funding;

(3) proposed degree programs to be offered by each branch location that will meet the requirements for approval by the Texas Higher Education Coordinating Board (THECB) and the estimated additional state costs associated with those programs; and

(4) any anticipated increase in administrative costs associated with the transition, including any personnel costs required to attain accreditation described by Subdivision (1).

(b) Provides that this section expires January 1, 2023.

SECTION 10. Amends Section 107.62, Education Code, to make conforming changes.

SECTION 11. Amends Section 107.63, Education Code, to authorize the board to sell or encumber any part of the real property owned by the system for certain purposes, rather than to sell or encumber any part of the campus or real estate owned by TWU.

SECTION 12. Amends Section 107.64, Education Code, to make a conforming change.

SECTION 13. Amends Section 107.65, Education Code, to make a conforming change.

SECTION 14. Amends Section 107.67, Education Code, to make conforming and nonsubstantive changes.

SECTION 15. Amends Section 107.69(a), Education Code, to make a conforming change.

SECTION 16. Amends Section 107.81(a), Education Code, to provide that campus security personnel commissioned under Section 51.203 (Campus Peace Officers) have concurrent jurisdiction with police officers of a municipality in which a component institution of the system is located, rather than have concurrent jurisdiction with police officers of the City of Denton, to enforce all criminal laws, including traffic laws, of the state and all ordinances of the municipality, rather than the city, regulating traffic on any public street running through the property of the system and on any public street immediately adjacent to property owned or occupied and controlled by the system. Makes conforming and nonsubstantive changes.

SECTION 17. Amends Section 107.82(a), (c), (d), and (e), Education Code, as follows:

(a) Authorizes the board and the governing body of a municipality in which a component institution of the system is located, rather than the board and the city council of Denton, to enter into written agreements, authorized by resolution of each governing body, to authorize the regular employed peace officers of the system to assist the peace officers of the municipality, rather than the city, in enforcing the laws of the state and the ordinances of the municipality at any location in the municipality. Makes conforming changes.

(c) Makes conforming and nonsubstantive changes to this subsection.

(d) Makes conforming changes to this subsection.

(e) Makes conforming and nonsubstantive changes to this subsection.

SECTION 18. Amends Section 107.83, Education Code, to make conforming changes.

SECTION 19. Amends Section 107.84, Education Code, to make conforming changes.

SECTION 20. Amends Chapter 107, Education Code, by adding Subchapters F, G, and H, as follows:

#### SUBCHAPTER F. TEXAS WOMAN'S UNIVERSITY

Sec. 107.101. TEXAS WOMAN'S UNIVERSITY. (a) Provides that TWU is a woman-focused general academic teaching institution located in the city of Denton.

(b) Provides that TWU is under the management and control of the board.

#### SUBCHAPTER G. TEXAS WOMAN'S UNIVERSITY AT DALLAS

Sec. 107.151. TEXAS WOMAN'S UNIVERSITY AT DALLAS. (a) Provides that TWU at Dallas is a woman-focused general academic teaching institution located in the city of Dallas.

(b) Provides that TWU at Dallas is under the management and control of the board.

(c) Authorizes the university, notwithstanding any other provision of this subchapter, to operate as a general academic teaching institution only after THECB certifies that the university is accredited by the Southern Association of Colleges and Schools Commission on Colleges and has been approved by THECB to offer one or more degree programs. Authorizes the board, until THECB certifies that the conditions of this subsection have been met, to operate a branch campus of TWU in the city of Dallas.

SUBCHAPTER H. TEXAS WOMAN'S UNIVERSITY AT HOUSTON

Sec. 107.201. TEXAS WOMAN'S UNIVERSITY AT HOUSTON. (a) Provides that TWU at Houston is a woman-focused general academic teaching institution located in the city of Houston.

(b) Provides that TWU at Houston is under the management and control of the board.

(c) Authorizes TWU at Houston, notwithstanding any other provision of this subchapter, to operate as a general academic teaching institution only after THECB certifies that the university is accredited by the Southern Association of Colleges and Schools Commission on Colleges and has been approved by THECB to offer one or more degree programs. Authorizes the board, until THECB certifies that the conditions of this subsection have been met, to operate a branch campus of TWU in the city of Houston.

SECTION 21. Amends Section 50A.010, Agriculture Code, to make conforming changes.

SECTION 22. Amends the heading to Section 54.5085, Education Code, to read as follows:

Sec. 54.5085. MEDICAL SERVICES FEE; TEXAS WOMAN'S UNIVERSITY SYSTEM.

SECTION 23. Amends Sections 54.5085(a), (b), and (c), Education Code, as follows:

(a) Authorizes the board to charge each student registered at a component institution of the system, rather than registered at TWU, a medical services fee not to exceed \$55 for each semester of the regular term or 12-week summer session and not to exceed \$25 for each six-week or shorter term of the summer session. Makes a conforming change.

(b) and (c) Makes conforming changes to these subsections.

SECTION 24. Amends Section 54.525, Education Code, as follows:

Sec. 54.525. New heading: FEES FOR STUDENT CENTERS; TEXAS WOMAN'S UNIVERSITY SYSTEM COMPONENTS. (a) and (b) Makes conforming and nonsubstantive changes to these subsections.

(c) Requires that revenue from a fee imposed at an institution under this section be deposited to the credit of an account known as the student center fee account, rather than known as the "Texas Woman's University Student Center Fee Account," under the control of the institution's student fee advisory committee, rather than the control of TWU's student fee advisory committee. Makes conforming changes.

(d) Makes conforming changes to this subsection.

SECTION 25. Amends Section 54.5251, Education Code, as follows:

Sec. 54.5251. New heading: STUDENT FITNESS AND RECREATIONAL FEE; TEXAS WOMAN'S UNIVERSITY SYSTEM. (a)-(g) Makes conforming changes to these subsections.

SECTION 26. Amends Section 55.1718, Education Code, as follows:

Sec. 55.1718. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. (a) and (b) Makes conforming changes to these subsections.

SECTION 27. Amends Section 55.1726, Education Code, as follows:

Sec. 55.1726. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. (a) and (b)  
Makes conforming changes to these subsections.

SECTION 28. Amends Section 55.1736, Education Code, as follows:

Sec. 55.1736. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. (a)-(c)  
Makes conforming changes to these subsections.

SECTION 29. Amends Section 55.1756, Education Code, as follows:

Sec. 55.1756. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. (a) and (b)  
Makes conforming changes to these subsections.

SECTION 30. Amends Section 55.1786, Education Code, as follows:

Sec. 55.1786. New heading: TEXAS WOMAN'S UNIVERSITY SYSTEM. (a) and (b)  
Makes conforming changes to these subsections.

SECTION 31. Amends Section 62.021(a), Education Code, to provide that the annual amount appropriated by the equitable allocation formula is \$14,554,133 to the component institutions of the system, allocated as determined by the board of the system, rather than \$14,554,133 to TWU.

SECTION 32. Amends Section 301.001(1), Health and Safety Code, to redefine "eligible institution" in Subchapter A (Hospital Laundry Cooperative Associations) to include the system, rather than TWU.

SECTION 33. Amends Section 301.031(1), Health and Safety Code, to redefine "eligible institution" in Subchapter B (Miscellaneous Cooperative Associations) to include the system, rather than TWU.

SECTION 34. (a) Provides that the transition of TWU to the system under this Act does not affect the validity of any contracts or written obligations, including bonds, entered into by the board of TWU on TWU's behalf. Provides that in those contracts and written obligations, the board of the system is substituted for and stands and acts in the place of the board of Texas Woman's University to the extent permitted by law.

(b) Provides that the transition of TWU to the system under this Act does not affect the status of any student enrolled at TWU when the transition takes effect, or the employment status or accrued benefits of any person employed by TWU when the transition takes effect.

(c) Provides that all funds that, on the effective date of the transition, have been appropriated to or dedicated to or are held for the use and benefit of TWU are transferred to the system for the use and benefit of the system to the extent permitted by law.

(d) Provides that the changes in law made by this Act to Sections 55.1718, 55.1726, 55.1736, 55.1756, and 55.1786, Education Code, do not authorize bonds in an amount that exceeds the original amount of bonds authorized by those sections.

(e) Authorizes the board to take any action necessary to transition TWU to the system under this Act, including by allocating TWU funds, property, and personnel as the board determines appropriate between the system's component institutions and postponing the effect of any other changes made by this Act as the board determines appropriate.

SECTION 35. Provides that Subchapters G and H, Chapter 107, Education Code, as added by this Act, apply beginning with the 2023-2024 academic year.

SECTION 36. Effective date: upon passage or September 1, 2021.