

BILL ANALYSIS

Senate Research Center
87R9551 KJE-D

S.B. 1126
By: Springer; Miles
Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Background & Purpose

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.

Rulemaking Authority

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

Summary Analysis

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.

Effective Date

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2021.

As proposed, 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 is a woman-focused system composed of Texas Woman's University, Texas Woman's University at Dallas, and Texas Woman's University at Houston, rather than an 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) Provides that the board of regents of the system (board), rather than the board of regents of the university, is composed of nine persons, four of whom must, rather than shall, be women, appointed by the governor with the advice and consent of the 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) Requires the board to appoint a chief executive officer of the system, rather than a president of the university.

(b) Requires the chief executive officer of the system to also serve as the president of Texas Woman's University.

(c) 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 Section 107.62, Education Code, to make conforming changes.

SECTION 10. 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. Deletes existing text authorizing the board to sell or encumber any part of the campus or real estate owned by the university.

SECTION 11. Amends Section 107.64, Education Code, to make a conforming change.

SECTION 12. Amends Section 107.65, Education Code, to make a conforming change.

SECTION 13. Amends Section 107.67, Education Code, to make conforming and nonsubstantive changes.

SECTION 14. Amends Section 107.69(a), Education Code, to make a conforming change.

SECTION 15. 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 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 changes.

SECTION 16. 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 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 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.

(d) Makes conforming changes.

(e) Makes conforming and nonsubstantive changes.

SECTION 17. Amends Section 107.83, Education Code, as follows:

Sec. 107.83. CITY DELEGATION OF PARKING REGULATION AUTHORITY. (a)-(c) Makes conforming changes.

SECTION 18. Amends Section 107.84, Education Code, to make conforming changes.

SECTION 19. 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 Texas Woman's University is a woman-focused general academic teaching institution located in the city of Denton.

(b) Provides that the university 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 Texas Woman's University at Dallas is a woman-focused general academic teaching institution located in the city of Dallas.

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

SUBCHAPTER H. TEXAS WOMAN'S UNIVERSITY AT HOUSTON

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

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

SECTION 20. Amends Section 50A.010, Agriculture Code, to make conforming changes.

SECTION 21. 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 22. Amends Sections 54.5085(a), (b), and (c), Education Code, as follows:

(a) Authorizes the board of the Texas Woman's University System to charge each student registered at a component institution of the system, rather than registered at the

university, 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.

(b) and (c) Makes conforming changes.

SECTION 23. 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.

(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 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 the university's student fee advisory committee. Makes conforming changes.

(d) Makes conforming changes.

SECTION 24. 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.

SECTION 25. Amends Section 55.1718, Education Code, as follows:

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

SECTION 26. Amends Section 55.1726, Education Code, as follows:

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

SECTION 27. Amends Section 55.1736, Education Code, as follows:

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

SECTION 28. Amends Section 55.1756, Education Code, as follows:

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

SECTION 29. Amends Section 55.1786, Education Code, as follows:

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

SECTION 30. Amends Section 61.003(3), Education Code, to include Texas Woman's University at Dallas and Texas Woman's University at Houston in the definition of "general academic teaching institution."

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 Texas Woman's University System, allocated as determined by the board of the system, rather than \$14,554,133 to Texas Woman's University.

SECTION 32. Amends Section 301.001(1), Health and Safety Code, to amend the definition of "eligible institution" to include the Texas Woman's University System, rather than Texas Woman's University.

SECTION 33. Amends Section 301.031(1), Health and Safety Code, to amend the definition of "eligible institution" to include the Texas Woman's University System, rather than Texas Woman's University.

SECTION 34. (a) Provides that the transition of Texas Woman's University to the Texas Woman's University System under this Act does not affect the validity of any contracts or written obligations, including bonds, entered into by the board of Texas Woman's University on the university's behalf. Provides that in those contracts and written obligations, the board of the Texas Woman's University 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 Texas Woman's University to the Texas Woman's University System under this Act does not affect the status of any student enrolled at the university when the transition takes effect, or the employment status or accrued benefits of any person employed by the university 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 Texas Woman's University are transferred to the Texas Woman's University System for the use and benefit of the system to the extent permitted by law.

(d) Provides that fees previously approved and charged to students of Texas Woman's University are considered approved and are authorized to continue to be charged and used for the same purposes at each component institution of the Texas Woman's University System in the same amounts as charged in the 2020-2021 academic year, subject to future changes approved as authorized by law.

(e) 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.

(f) Provides that degree programs previously offered at the branch locations of Texas Woman's University that are designated as independent component institutions of the Texas Woman's University System under Chapter 107 (Texas Woman's University), Education Code, as amended by this Act, are considered to have been approved as degree programs of the respective component institutions.

(g) Authorizes the board of the Texas Woman's University System to take any action necessary to transition Texas Woman's University to the Texas Woman's University System under this Act, including by allocating university funds, property, and personnel as the board determines appropriate between the system's component institutions, continuing to operate the branch locations of Texas Woman's University that are designated as independent component institutions of the Texas Woman's University System under Chapter 107, Education Code, as amended by this Act, as branch locations of the university until the board determines that transitioning those branch locations to independent component institutions of the system is appropriate and feasible, and postponing the effect of any other changes made by this Act as the board determines appropriate.

SECTION 35. Effective date: upon passage or September 1, 2021.