88R7372 JRJ-F

By:  Raney H.B. No. 3048

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain public institutions of higher education to offer programs and courses in junior college district service areas.

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

SECTION 1.  Section 130.161, Education Code, is amended by adding Subdivision (3) to read as follows:

(3)  "Institution of higher education" has the meaning assigned by Section 61.003.

SECTION 2.  Subchapter J, Chapter 130, Education Code, is amended by adding Section 130.1615 to read as follows:

Sec. 130.1615.  APPLICATION OF SUBCHAPTER TO PROGRAMS AND COURSES OFFERED BY OTHER INSTITUTIONS OF HIGHER EDUCATION. (a) This subchapter does not prohibit, restrict, or limit the authority of an institution of higher education, other than a junior college district, to offer a degree or certificate program in a service area designated in this subchapter.

(b)  A junior college district may not object to the implementation of a program or course offered by an institution of higher education, other than an institution of higher education that is another junior college district, solely on the basis that the program or course is offered in the objecting junior college district's service area.

(c)  The Texas Higher Education Coordinating Board may not approve or disapprove a new degree or certificate program, or the continuation of an existing degree or certificate program, solely on the basis that the program is offered or proposed to be offered in a junior college district's service area. This subsection does not apply to the approval or disapproval of a program offered or proposed to be offered by a junior college district in the service area of another junior college district.

SECTION 3.  Sections 135.04(b) and (c) and Section 135.102(c), Education Code, are repealed.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.