

1-1 By: West, Seliger S.B. No. 709  
 1-2 (In the Senate - Filed February 8, 2019; March 1, 2019, read  
 1-3 first time and referred to Committee on Higher Education;  
 1-4 April 4, 2019, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 4, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Creighton	X			
1-8 West	X			
1-9 Bettencourt	X			
1-10 Buckingham	X			
1-11 Flores	X			
1-12 Menéndez	X			
1-13 Powell	X			
1-14 Taylor	X			
1-15 Watson	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the allocation and use of the annual constitutional  
 1-20 appropriation to certain agencies and institutions of higher  
 1-21 education.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 62.021, Education Code, is amended by  
 1-24 amending Subsections (a), (a-1), and (b) and adding Subsection  
 1-25 (a-3) to read as follows:

1-26 (a) In each state fiscal year beginning with the state  
 1-27 fiscal year ending August 31, 2021 [~~2016~~], an eligible institution  
 1-28 is entitled to receive an amount allocated in accordance with this  
 1-29 section from the funds appropriated for that year by Section 17(a),  
 1-30 Article VII, Texas Constitution. The comptroller shall distribute  
 1-31 funds allocated under this subsection only on presentation of a  
 1-32 claim and issuance of a warrant in accordance with Section 403.071,  
 1-33 Government Code. An eligible institution may not present a claim to  
 1-34 be paid from any funds allocated under this subsection before the  
 1-35 delivery of goods or services described in Section 17, Article VII,  
 1-36 Texas Constitution, except for the payment of principal or interest  
 1-37 on bonds or notes or for a payment for a book or other published  
 1-38 library material as authorized by Section 2155.386, Government  
 1-39 Code. The allocation of funds under this subsection is made in  
 1-40 accordance with an equitable formula consisting of the following  
 1-41 elements: space deficit, facilities condition, institutional  
 1-42 complexity, and a separate allocation for the Texas State Technical  
 1-43 College System. The annual amounts allocated by the formula are as  
 1-44 follows:

1-45 (1) \$4,933,200 [~~\$3,374,275~~] to Midwestern State  
 1-46 University;

1-47 (2) to the following component institutions of the  
 1-48 University of North Texas System:

1-49 (A) \$37,346,563 [~~\$25,041,370~~] to the University  
 1-50 of North Texas;

1-51 (B) \$15,125,502 [~~\$11,394,570~~] to the University  
 1-52 of North Texas Health Science Center at Fort Worth; and

1-53 (C) \$3,354,441 [~~\$1,408,669~~] to the University of  
 1-54 North Texas at Dallas [~~\$135,593 of which must be used for the~~  
 1-55 ~~University of North Texas at Dallas College of Law~~];

1-56 (3) \$11,277,793 [~~\$7,757,442~~] to Stephen F. Austin  
 1-57 State University;

1-58 (4) to the following component institutions of the  
 1-59 Texas State University System:

1-60 (A) \$13,141,181 [~~\$9,401,255~~] to Lamar  
 1-61 University;

2-1 (B) \$2,553,130 [~~\$1,720,347~~] to the Lamar  
 2-2 Institute of Technology;  
 2-3 (C) \$1,488,396 [~~\$1,129,562~~] to Lamar State  
 2-4 College--Orange;  
 2-5 (D) \$2,217,102 [~~\$1,438,523~~] to Lamar State  
 2-6 College--Port Arthur;  
 2-7 (E) \$18,236,811 [~~\$11,553,239~~] to Sam Houston  
 2-8 State University;  
 2-9 (F) \$37,606,478 [~~\$24,775,170~~] to Texas State  
 2-10 University;  
 2-11 (G) \$2,151,723 [~~\$1,423,682~~] to Sul Ross State  
 2-12 University; and  
 2-13 (H) \$472,890 [~~\$273,825~~] to Sul Ross State  
 2-14 University--Rio Grande College;  
 2-15 (5) \$11,719,335 [~~\$7,773,229~~] to Texas Southern  
 2-16 University;  
 2-17 (6) to the following component institutions of the  
 2-18 Texas Tech University System:  
 2-19 (A) \$49,874,746 [~~\$32,817,206~~] to Texas Tech  
 2-20 University;  
 2-21 (B) \$21,652,392 [~~\$15,581,597~~] to Texas Tech  
 2-22 University Health Sciences Center;  
 2-23 (C) \$6,792,999 [~~\$3,546,735~~] to Angelo State  
 2-24 University; and  
 2-25 (D) \$5,557,572 [~~\$4,156,050~~] to Texas Tech  
 2-26 University Health Sciences Center--El Paso;  
 2-27 (7) \$14,554,133 [~~\$9,897,706~~] to Texas Woman's  
 2-28 University;  
 2-29 (8) to the following component institutions of the  
 2-30 University of Houston System:  
 2-31 (A) \$54,514,004 [~~\$35,180,036~~] to the University  
 2-32 of Houston;  
 2-33 (B) \$3,542,817 [~~\$2,850,574~~] to the University of  
 2-34 Houston--Victoria;  
 2-35 (C) \$7,726,043 [~~\$5,336,744~~] to the University of  
 2-36 Houston--Clear Lake; and  
 2-37 (D) \$10,828,344 [~~\$7,835,252~~] to the University  
 2-38 of Houston--Downtown;  
 2-39 (9) to the following component institutions of The  
 2-40 Texas A&M University System:  
 2-41 (A) \$11,478,824 [~~\$7,424,229~~] to Texas A&M  
 2-42 University--Corpus Christi;  
 2-43 (B) \$7,462,394 [~~\$4,473,273~~] to Texas A&M  
 2-44 International University;  
 2-45 (C) \$8,858,060 [~~\$5,977,371~~] to Texas A&M  
 2-46 University--Kingsville;  
 2-47 (D) \$7,446,495 [~~\$4,776,272~~] to West Texas A&M  
 2-48 University;  
 2-49 (E) \$11,123,859 [~~\$7,190,875~~] to Texas A&M  
 2-50 University--Commerce; and  
 2-51 (F) \$2,050,273 [~~\$1,215,922~~] to Texas A&M  
 2-52 University--Texarkana; and  
 2-53 (10) \$8,662,500 [~~\$5,775,000~~] to the Texas State  
 2-54 Technical College System Administration and the following  
 2-55 component campuses, but not its extension centers or programs:  
 2-56 (A) Texas State Technical College--Harlingen;  
 2-57 (B) Texas State Technical College--Marshall;  
 2-58 (C) Texas State Technical College--West Texas;  
 2-59 ~~and~~  
 2-60 (D) Texas State Technical College--Waco;  
 2-61 (E) Texas State Technical College--Fort Bend;  
 2-62 and  
 2-63 (F) Texas State Technical College--North Texas.  
 2-64 (a-1) In ~~each state fiscal year beginning with~~ the state  
 2-65 fiscal year ending August 31, 2020 [~~2017~~], an eligible institution  
 2-66 is entitled to receive an amount allocated in accordance with this  
 2-67 subsection from the funds appropriated for that year by Section  
 2-68 17(a), Article VII, Texas Constitution. The comptroller shall  
 2-69 distribute funds allocated under this subsection only on

3-1 presentation of a claim and issuance of a warrant in accordance with  
 3-2 Section 403.071, Government Code. An eligible institution may not  
 3-3 present a claim to be paid from any funds allocated under this  
 3-4 subsection before the delivery of goods or services described in  
 3-5 Section 17, Article VII, Texas Constitution, except for the payment  
 3-6 of principal or interest on bonds or notes or for a payment for a  
 3-7 book or other published library material as authorized by Section  
 3-8 2155.386, Government Code. The allocation of funds under this  
 3-9 subsection is made in accordance with an equitable formula  
 3-10 consisting of the following elements: space deficit, facilities  
 3-11 condition, institutional complexity, and a separate allocation for  
 3-12 the Texas State Technical College System. The annual amounts  
 3-13 allocated by the formula are as follows:

- 3-14 (1) \$5,061,412 to Midwestern State University;  
 3-15 (2) to the following component institutions of the  
 3-16 University of North Texas System:  
 3-17 (A) \$37,562,056 to the University of North Texas;  
 3-18 (B) \$17,091,856 to the University of North Texas  
 3-19 Health Science Center at Fort Worth; and  
 3-20 (C) \$2,113,004 to the University of North Texas  
 3-21 at Dallas [~~\$203,390 of which must be used for the University of~~  
 3-22 ~~North Texas at Dallas College of Law~~];  
 3-23 (3) \$11,636,163 to Stephen F. Austin State University;  
 3-24 (4) to the following component institutions of the  
 3-25 Texas State University System:  
 3-26 (A) \$14,101,882 to Lamar University;  
 3-27 (B) \$2,580,521 to the Lamar Institute of  
 3-28 Technology;  
 3-29 (C) \$1,694,343 to Lamar State College--Orange;  
 3-30 (D) \$2,157,784 to Lamar State College--Port  
 3-31 Arthur;  
 3-32 (E) \$17,329,858 to Sam Houston State University;  
 3-33 (F) \$37,162,755 to Texas State University;  
 3-34 (G) \$2,135,523 to Sul Ross State University; and  
 3-35 (H) \$410,738 to Sul Ross State University--Rio  
 3-36 Grande College;  
 3-37 (5) \$11,659,843 to Texas Southern University;  
 3-38 (6) to the following component institutions of the  
 3-39 Texas Tech University System:  
 3-40 (A) \$49,225,809 to Texas Tech University;  
 3-41 (B) \$23,372,396 to Texas Tech University Health  
 3-42 Sciences Center;  
 3-43 (C) \$5,320,102 to Angelo State University; and  
 3-44 (D) \$6,234,075 to Texas Tech University Health  
 3-45 Sciences Center--El Paso;  
 3-46 (7) \$14,846,558 to Texas Woman's University;  
 3-47 (8) to the following component institutions of the  
 3-48 University of Houston System:  
 3-49 (A) \$52,770,054 to the University of Houston;  
 3-50 (B) \$4,275,861 to the University of  
 3-51 Houston--Victoria;  
 3-52 (C) \$8,005,116 to the University of  
 3-53 Houston--Clear Lake; and  
 3-54 (D) \$11,752,877 to the University of  
 3-55 Houston--Downtown;  
 3-56 (9) to the following component institutions of The  
 3-57 Texas A&M University System:  
 3-58 (A) \$11,136,344 to Texas A&M University--Corpus  
 3-59 Christi;  
 3-60 (B) \$6,709,910 to Texas A&M International  
 3-61 University;  
 3-62 (C) \$8,966,056 to Texas A&M  
 3-63 University--Kingsville;  
 3-64 (D) \$7,164,408 to West Texas A&M University;  
 3-65 (E) \$10,786,313 to Texas A&M  
 3-66 University--Commerce; and  
 3-67 (F) \$1,823,883 to Texas A&M  
 3-68 University--Texarkana; and  
 3-69 (10) \$8,662,500 to the Texas State Technical College

4-1 System Administration and the following component campuses, but not  
4-2 its extension centers or programs:

- 4-3 (A) Texas State Technical College--Harlingen;
- 4-4 (B) Texas State Technical College--Marshall;
- 4-5 (C) Texas State Technical College--West Texas;

4-6 [~~and~~]

- 4-7 (D) Texas State Technical College--Waco;
- 4-8 (E) Texas State Technical College--Fort Bend;

4-9 and

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

4-10 (a-3) This subsection and Subsection (a-1) expire September  
4-11 1, 2020.

4-12 (b) Each governing board participating in the distribution  
4-13 of funds as described in this section may expend the funds without  
4-14 limitation, and as the governing board may decide in its sole  
4-15 discretion, for any and all purposes described in Section 17,  
4-16 Article VII, Texas [Section 17, of the] Constitution, including to  
4-17 purchase or contract for cloud computing services or other  
4-18 intangible assets with an expected useful life or for a contract  
4-19 period of more than one year [of Texas, provided, however, that for  
4-20 new construction, major repair and rehabilitation projects, and  
4-21 land acquisition projects, those funds may not be expended without  
4-22 the prior approval of the legislature or the approval, review, or  
4-23 endorsement, as applicable, of the coordinating board; and provided  
4-24 further that review and approval of major repair and rehabilitation  
4-25 shall apply only to projects in excess of \$600,000].

4-26 SECTION 2. Sections 62.021(a-2) and (f), Education Code,  
4-27 are repealed.

4-28 SECTION 3. (a) The amounts allocated under Section  
4-29 62.021(a-1), Education Code, as amended by this Act, apply to the  
4-30 state fiscal year beginning September 1, 2019.

4-31 (b) The amounts allocated under Section 62.021(a),  
4-32 Education Code, as amended by this Act, apply to each state fiscal  
4-33 year beginning with the state fiscal year beginning September 1,  
4-34 2020.

4-35 SECTION 4. This Act takes effect August 31, 2019.

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