

1 board of trustees of a junior college district may establish and
2 operate branch campuses, centers, or extension facilities within
3 the junior college district's service area, provided that each
4 branch campus, center, or extension facility and each course or
5 program offered in such locations is subject to the prior and
6 continuing approval of the Texas Higher Education Coordinating
7 Board.

8 (b) Such branch campuses, centers, or extension facilities
9 shall be within the role and scope of the junior college as
10 determined by the Texas Higher Education Coordinating Board
11 [~~Coordinating Board, Texas College and University System~~].

12 (c) The board of trustees of a junior college district may
13 accept or acquire by purchase or rent land and facilities in the
14 name of the junior college district within the junior college
15 district's service area.

16 (d) Before any course may be offered by a public junior
17 college within the service area of another operating public junior
18 college, it must be established that the second public junior
19 college is not capable of or is unable to offer the course. After
20 the need is established and the course is not locally available,
21 then the first public junior college may offer the course when
22 approval is granted by the Texas Higher Education Coordinating
23 Board.

24 (e) The board of trustees of a junior college district may
25 enter cooperative agreement with independent, common, or county
26 school districts, state or federal agencies as may be required to
27 perform the services as outlined in this section.

1 (f) Notwithstanding Subchapter J, the service area of a
2 junior college district does not include territory within the
3 boundaries of the taxing district of another junior college
4 district. If a branch campus, center, or extension facility
5 operated by a junior college district outside its taxing district
6 becomes located within the taxing district of another junior
7 college district when the other district is established or annexes
8 the territory that includes the campus, center, or facility, the
9 junior college district operating the campus, center, or facility
10 must discontinue the campus, center, or facility within a
11 reasonable period, not to exceed one academic year. The junior
12 college district in which the campus, center, or facility is
13 located must fairly compensate the junior college district that
14 discontinues the campus, center, or facility for any capital
15 improvements that the discontinuing district acquired or
16 constructed for the campus, center, or facility, to the extent the
17 discontinuing district is otherwise unable to recover the current
18 value of its investment in that capital improvement, as determined
19 by the Texas Higher Education Coordinating Board.

20 (g) Subsections (a) and (c) do not apply to a branch campus,
21 center, or extension facility that is established before September
22 1, 1999.

23 (h) This section does not affect the authority of the Texas
24 Higher Education Coordinating Board regarding the continued
25 operation of a branch campus, center, or extension facility.

26 Sec. 130.252 [~~Sec. 130.0865~~]. SECURITY FOR REVENUE BONDS
27 ISSUED FOR BRANCH CAMPUS, CENTER, OR EXTENSION FACILITY. Bonds

1 payable from revenue and issued by the governing body of a county or
2 school district to finance the purchase of land or the construction
3 of a facility to be used for a branch campus, center, or extension
4 facility authorized under Section 130.251 [~~130.086~~] may be secured
5 by a trust indenture, a deed of trust, or a mortgage granting a
6 security interest in the applicable land or facility.

7 Sec. 130.253 [~~Sec. 130.087~~]. BRANCH CAMPUS MAINTENANCE
8 TAX. (a) The governing body of a school district or a county may
9 levy a junior college district branch campus maintenance tax as
10 provided by this section at a rate not to exceed five cents on each
11 \$100 valuation of all taxable property in its jurisdiction.

12 (b) On presentation of a petition for an election to
13 authorize a junior college district branch campus maintenance tax
14 signed by not fewer than five percent of the qualified voters of the
15 jurisdiction in which the proposed tax is to be levied, the
16 governing body of the school district or county, as applicable,
17 shall determine the legality and the genuineness of the petition
18 and, if it is determined to be legal and genuine, forward the
19 petition to the Texas Higher Education Coordinating Board. The
20 governing body of a county with a population of 150,000 or less, on
21 completion of a needs assessment analysis showing adequate need and
22 on approval by the coordinating board, on its own motion and without
23 the presentation of a petition, may propose an election to
24 authorize a branch campus maintenance tax.

25 (c) The Texas Higher Education Coordinating Board
26 [~~coordinating board~~] shall determine whether the requirements
27 provided by Subsections (a) and (b) [~~of this section~~] have been

1 satisfied and whether the proposed tax is feasible and desirable
2 under the coordinating board's rules for junior colleges. In
3 making its decision on the feasibility and desirability of the tax,
4 the coordinating board shall consider the needs of the junior
5 college, the needs of the community or communities served by the
6 branch campus, and the welfare of the state as a whole. The
7 commissioner of higher education shall deliver to the governing
8 body of the school district or county, as applicable, the order of
9 the coordinating board authorizing or denying further action in the
10 levying of a junior college district branch campus maintenance tax.

11 (d) If the coordinating board approves the establishment of
12 the junior college district branch campus maintenance tax, the
13 governing body of the school district or county, as applicable,
14 shall enter an order for an election to be held in the territory
15 under its jurisdiction not less than 20 days nor more than 60 days
16 after the date on which the order is entered to determine whether
17 the junior college district branch campus maintenance tax may be
18 levied. In the case of joint school district or joint county
19 elections, by mutual agreement of the governing bodies, the
20 elections shall be held on the same date throughout the
21 jurisdictions.

22 (e) The president of the board of trustees of the school
23 district or the county judge, as applicable, shall give notice of
24 the election in the manner provided by law for notice by the county
25 judge of general elections.

26 (f) The governing body of the school district or county, as
27 applicable, shall procure the election supplies necessary to

1 conduct the election and shall determine the quantity of the
2 various types of supplies to be provided for use at each precinct
3 polling place and early voting polling place.

4 (g) Any qualified voter residing within the boundaries of
5 the jurisdiction in which the tax may be levied is entitled to vote
6 at the election.

7 (h) The ballot shall be printed to provide for voting for or
8 against the proposition: "The levy of a junior college district
9 branch campus maintenance tax in an amount not to exceed (insert a
10 number not higher than five) cents on each \$100 valuation of all
11 taxable property in _____." (insert name of school district or
12 name of county, as applicable).

13 (i) To be adopted, the measure must receive a favorable vote
14 of a majority of those voting on the measure.

15 (j) Not later than the 10th day after the date of the
16 election, the governing body shall canvass the returns of the
17 election and shall enter an order declaring the result of the
18 election.

19 (k) The proceeds of the junior college district branch
20 campus maintenance tax may be used only as follows:

21 (1) to operate and maintain a junior college district
22 branch campus and support its programs and services in the area of
23 the political subdivision that levied the tax; and

24 (2) under an agreement by the applicable junior
25 college district and the political subdivision levying the tax, to
26 make lease payments to the political subdivision for facilities
27 used exclusively by the branch campus that are owned by the

1 political subdivision.

2 (l) The governing body of the school district or county
3 approving the junior college district branch campus maintenance tax
4 shall set the tax levy.

5 (m) The junior college district shall maintain and furnish
6 any records and reports required by the Texas Higher Education
7 Coordinating Board [~~Coordinating Board, Texas College and~~
8 ~~University System~~]. The reports shall be made available routinely
9 to the governing body of the jurisdiction in which the tax is
10 levied, and to members of the general public on request.

11 (n) This section does not affect the authority of any
12 jurisdiction levying a junior college district branch campus
13 maintenance tax to create a junior college district in the
14 jurisdiction.

15 SECTION 3. Section 45.105(f), Education Code, is amended to
16 read as follows:

17 (f) Funds from a junior college district branch campus
18 maintenance tax levied by a school district board of trustees under
19 Section 130.253 [~~130.087~~] may be used as provided by that section.

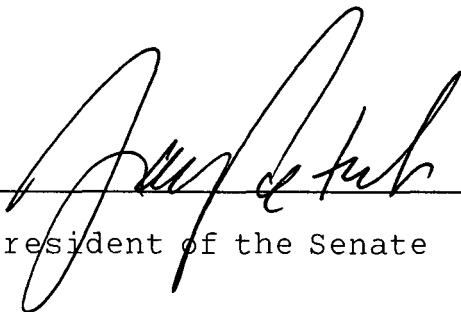
20 SECTION 4. Section 51.406(b), Education Code, is amended to
21 read as follows:

22 (b) To the extent that any of the following laws require
23 reporting by a university system or an institution of higher
24 education, a university system or institution of higher education
25 is not required to make the report on or after September 1, 2013,
26 unless legislation enacted by the 83rd Legislature that becomes law
27 expressly requires the institution or system to make the report:

- 1 (1) Section 7.109;
- 2 (2) Section 33.083;
- 3 (3) Section 59.07;
- 4 (4) Section 130.251 [~~130.086~~];
- 5 (5) Section 325.007, Government Code;
- 6 (6) Section 669.003, Government Code;
- 7 (7) Section 2005.007, Government Code;
- 8 (8) Section 2054.097, Government Code;
- 9 (9) Chapter 2114, Government Code; and
- 10 (10) Section 2205.041, Government Code.

11 SECTION 5. Section 130.254, Education Code, as added by
12 this Act, applies beginning with the 2019-2020 academic year.

13 SECTION 6. This Act takes effect September 1, 2015.



President of the Senate

H.B. No. 382


Speaker of the House

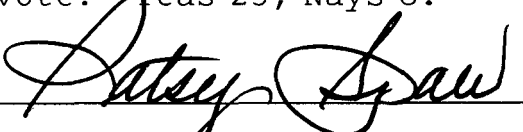
I certify that H.B. No. 382 was passed by the House on May 8, 2015, by the following vote: Yeas 140, Nays 2, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 382 on May 27, 2015, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 382 on May 31, 2015, by the following vote: Yeas 144, Nays 0, 2 present, not voting.



Chief Clerk of the House

H.B. No. 382

I certify that H.B. No. 382 was passed by the Senate, with amendments, on May 22, 2015, by the following vote: Yeas 23, Nays 8; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 382 on May 31, 2015, by the following vote: Yeas 23, Nays 8.

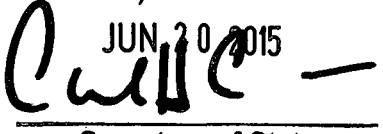

Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 pm O'CLOCK


JUN 20 2015
Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 30, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB382 by Canales (Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District adopt and implement a plan to expand opportunity for instructional programs in a certain location.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code relating to public junior college district branch campuses. The bill would allow South Texas Community College District to adopt and implement a plan to expand opportunity for certain instructional programs in Edcouch or Elsa beginning with the 2019-2020 academic year.

Based on information provided by the Higher Education Coordinating Board, it is assumed that there would be a cost to General Revenue from an increase in formula funding for South Texas College due to additional students enrolling in the new instructional programs generating additional contact hours and success points for formula funding. The cost would not be seen until at least fiscal year 2021, as formula funding is provided to institutions based on student data prior to the biennium to be funded. However, this analysis assumes the increase in formula funding for additional students enrolling in classes at the new programs would not be significant.

Local Government Impact

There could be additional costs for South Texas College to implement the provisions of the bill. However, it is assumed any additional costs associated with implementing the provisions of the bill would be funded with institutional funds.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: UP, EMu, DEH, ED, KVe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 25, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB382 by Canales (Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish an extension facility in a certain location.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code relating to public junior college district branch campuses. The bill would allow South Texas Community College District to establish instructional programs in Edcouch or Elsa beginning with the 2020-2021 academic year.

Based on information provided by the Higher Education Coordinating Board, it is assumed that there would be a cost to General Revenue from an increase in formula funding for South Texas College due to additional students enrolling in the new instructional programs generating additional contact hours and success points for formula funding. The cost would not be seen until at least fiscal year 2022, as formula funding is provided to institutions based on student data prior to the biennium to be funded. However, based on information provided by South Texas College, this analysis assumes the increase in formula funding for additional students enrolling in classes at the new program would not be significant.

Local Government Impact

Based on information provided by South Texas College, implementing the provisions of the bill would be a significant cost to the institution. Establishing new instructional programs could require costs associated with land acquisition, design of a new facility, construction of the facility and infrastructure, technology, and ongoing instructional, academic support, and operating costs. The institution is unable to determine the exact costs for establishing the instructional programs without further study. It is assumed that any additional costs associated with implementing the provisions of the bill would be funded with institutional funds.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: UP, EMu, DEH, ED, KVe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 14, 2015

TO: Honorable Eddie Lucio Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB382 by Canales (Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish an extension facility in a certain location.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code relating to public junior college district branch campuses, including the requirement that the South Texas Community College District establish an extension facility in a certain location.

Based on information provided by the Higher Education Coordinating Board, it is assumed that there would be a cost to General Revenue from an increase in formula funding for South Texas College due to additional students enrolling at the new facility generating additional contact hours and success points for formula funding. The cost would not be seen until at least fiscal year 2018, as formula funding is provided to institutions based on student data prior to the biennium to be funded. However, based on information provided by South Texas College, this analysis assumes the increase in formula funding for additional students enrolling in classes at the new facility would not be significant.

Local Government Impact

Based on information provided by South Texas College, implementing the provisions of the bill would be a significant cost to the institution. Establishing and operating a new extension facility would require costs associated with land acquisition, design of a new facility, construction of the facility and infrastructure, technology, and ongoing instructional, academic support, and operating costs. The institution is unable to determine the exact cost of the extension facility without further study. Any additional costs associated with implementing the provisions of the bill would be funded with institutional funds.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: UP, EMu, DEH, ED, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 30, 2015

TO: Honorable John Zerwas, Chair, House Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB382** by Canales (Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish an extension facility in a certain location.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code relating to public junior college district branch campuses, including the requirement that the South Texas Community College District establish an extension facility in a certain location.

Based on information provided by the Higher Education Coordinating Board, it is assumed that there would be a cost to General Revenue from an increase in formula funding for South Texas College due to additional students enrolling at the new facility generating additional contact hours and success points for formula funding. The cost would not be seen until at least fiscal year 2018, as formula funding is provided to institutions based on student data prior to the biennium to be funded. However, based on information provided by South Texas College, this analysis assumes the increase in formula funding for additional students enrolling in classes at the new facility would not be significant.

Local Government Impact

Based on information provided by South Texas College, implementing the provisions of the bill would be a significant cost to the institution. Establishing and operating a new extension facility would require costs associated with land acquisition, design of a new facility, construction of the facility and infrastructure, technology, and ongoing instructional, academic support, and operating costs. The institution is unable to determine the exact cost of the extension facility without further study. Any additional costs associated with implementing the provisions of the bill would be funded with institutional funds.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: UP, EMu, DEH, ED, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 21, 2015

TO: Honorable John Zerwas, Chair, House Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB382** by Canales (Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish a branch campus in a certain location.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code relating to public junior college district branch campuses, including requirement that the South Texas Community College District establish a branch campus in a certain location.

Based on information provided by the Higher Education Coordinating Board, it is assumed that there would be a cost to General Revenue from an increase in formula funding for South Texas College due to additional students enrolling at the new branch campus generating additional contact hours and success points for formula funding. The cost would not be seen until at least fiscal year 2018, as formula funding is provided to institutions based on student data prior to the biennium to be funded. However, based on information provided by South Texas College, this analysis assumes the increase in formula funding for additional students enrolling in classes at the new branch campus would not be significant.

Local Government Impact

Based on information provided by South Texas College, implementing the provisions of the bill would be a significant cost to the institution. Establishing and operating a new branch campus would require costs associated with land acquisition, design of a new facility, construction of the facility and infrastructure, technology, and ongoing instructional, academic support, and operating costs. The institution is unable to determine the exact cost of the campus without further study. Any additional costs associated with implementing the provisions of the bill would be funded with institutional funds.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: UP, EMu, DEH, ED, KVe