

## **BILL ANALYSIS**

C.S.H.B. 1000  
By: Oliveira  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties cite the rapid population growth of the Lower Rio Grande Valley and that region's high unemployment among the reasons for concerted efforts to improve the region's access to higher education and health care. The Lower Rio Grande Valley is currently served by two component institutions of The University of Texas System: The University of Texas--Pan American (UTPA) and The University of Texas at Brownsville (UTB), both of which are ineligible for capital funding from the permanent university fund (PUF). While the Texas Constitution does not permit the legislature to make existing institutions PUF-eligible, it does permit the legislature to create a new university that would be PUF-eligible. With regard to academic health institutions, the Lower Rio Grande Valley is currently served by the Lower Rio Grande Regional Academic Health Center (RAHC), a regional campus of The University of Texas Health Science Center at San Antonio. The legislature recently authorized the UT System board of regents to establish The University of Texas Health Science Center--South Texas and to convert the RAHC into that health science center's medical school.

The interested parties note that the combined assets of the proposed new university will not only help it achieve "emerging research university" status but will also, with the necessary vote, make it eligible for PUF capital funding. C.S.H.B. 1000 seeks to reorganize these Lower Rio Grande Valley institutions into a new university, bringing together the students, faculty, and assets of UTPA, UTB, and the RAHC, as well as the medical school and other programs of The University of Texas Health Science Center--South Texas.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Board of Regents of The University of Texas System in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1000 amends the Education Code to establish a new university in South Texas under the governance, management, and control of the Board of Regents of The University of Texas System, with operation set to begin on a date the board determines appropriate to achieve the maximum operating efficiency of the system. The bill requires the board, as necessary to achieve the maximum operating efficiency of the university, to provide for the organization, administration, location, and name of the university and of the colleges, schools, and other institutions and entities of the university, which must include an academic campus and other academic operations in Cameron County and in Hidalgo County, the medical school and other programs authorized for The University of Texas Health Science Center--South Texas, the facilities and operations of the Lower Rio Grande Valley Academic Health Center, and an academic center in Starr County.

C.S.H.B. 1000 requires the board to equitably allocate the primary facilities and operations of the university among Cameron, Hidalgo, and Starr Counties, to ensure that the medical and research programs of the medical school component of the university are conducted across the region and

have a substantial presence in Hidalgo and Cameron Counties, and to ensure the provision of interdisciplinary education across health professions within the university. The bill requires, rather than authorizes, the health science center to consist of a medical school, other health and health-related degree programs, and related programs and facilities as the board considers appropriate. The bill establishes that the authority of the board to achieve the maximum operating efficiency of the new university and to provide for the organization, administration, and location of colleges, schools, and other institutions and entities of the university prevails over other law.

C.S.H.B. 1000 sets out provisions relating to the courses and degrees to be offered at the university, the conduct of the university as a university of the first class, adequate physical facilities for use by the university, gifts and grants, and joint faculty appointments. The bill entitles the university, if the bill receives the necessary vote, to participate in the permanent university fund to the same extent as similar component institutions of The University of Texas System.

C.S.H.B. 1000 requires the board to establish a center for border economic and enterprise development and The Texas Academy of Mathematics and Science at the university and sets out provisions and procedures governing the two entities, including provisions entitling the academy to allotments from the foundation school fund for each enrolled student as if the academy were a school district without a tier one local share. The bill exempts the academy from certain statutory provisions relating to education and from the rules of the Texas Education Agency regulating public schools.

C.S.H.B. 1000 abolishes The University of Texas--Pan American (UTPA) and The University of Texas at Brownsville (UTB) on a date the board determines appropriate to achieve the maximum operating efficiency of the system, sets out requirements relating to such abolition, and repeals statutory provisions relating to the universities on the date of abolition. The bill prohibits abolition earlier than the date on which the new university begins operation. The bill sets out procedural provisions relating to the creation of the new university within The University of Texas System, the employment of faculty and staff of UTPA and UTB at the new university, the admission of students admitted to or enrolled at UTPA and UTB to the new university, and the use of facilities under the management and control of the system by UTPA and UTB until the new university begins operation, as well as board authority to lease or purchase facilities to the extent the board determines necessary and practical. The bill's provisions expressly do not affect the powers, duties, and obligations of UTB and the Texas Southmost College District with regard to their partnership agreement in effect until August 31, 2015, to the extent necessary to ensure accreditation.

C.S.H.B. 1000 requires the board, in order to assist the system in designing, organizing, and implementing a medical school to serve the Rio Grande Valley as a component of the new university, to appoint a temporary advisory group to give the board applicable counsel and recommendations. The bill sets out provisions for the advisory group's composition, duties, and dissolution.

C.S.H.B. 1000 repeals Chapters 77 and 78, Education Code, effective on the date the board designates for the abolition of UTPA and UTB.

#### **EFFECTIVE DATE**

Except as otherwise provided, on passage or, if the bill does not receive the necessary vote, September 1, 2013.

#### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1000 may differ from the original in nonsubstantive ways, the following

comparison is organized and highlighted in a manner that indicates the substantive differences between the introduced and committee substitute versions of the bill.

## INTRODUCED

SECTION 1. AMENDMENT TO EDUCATION CODE. Subtitle C, Title 3, Education Code, is amended by adding Chapter 79:

### CHAPTER 79. UNIVERSITY TO BE ESTABLISHED IN SOUTH TEXAS

#### Sec. 79.01. DEFINITIONS.

#### Sec. 79.02. ESTABLISHMENT; SCOPE.

#### Sec. 79.03. COURSES AND DEGREES.

(a) The board may prescribe courses leading to customary degrees offered at leading American universities and medical schools as applicable and may award those degrees, including:

(1) bachelor's, master's, and doctoral degrees and their equivalents; and

(2) medical school degrees and other health science degrees.

(b) The board shall award degrees in the name of the university.

(c) Notwithstanding any other law, the university may offer any course or program previously authorized for The University of Texas--Pan American or The University of Texas at Brownsville.

#### Sec. 79.04. UNIVERSITY OF THE FIRST CLASS.

#### Sec. 79.05. FACILITIES.

#### Sec. 79.06. GIFTS AND GRANTS.

#### Sec. 79.07. JOINT APPOINTMENTS.

#### Sec. 79.08. PARTICIPATION IN PERMANENT UNIVERSITY FUND.

#### Sec. 79.09. CENTER FOR BORDER ECONOMIC AND ENTERPRISE DEVELOPMENT.

## HOUSE COMMITTEE SUBSTITUTE

SECTION 1. AMENDMENT TO EDUCATION CODE. Subtitle C, Title 3, Education Code, is amended by adding Chapter 79:

### CHAPTER 79. UNIVERSITY TO BE ESTABLISHED IN SOUTH TEXAS

#### Sec. 79.01. DEFINITIONS

#### Sec. 79.02. ESTABLISHMENT; SCOPE.

#### Sec. 79.03. COURSES AND DEGREES.

(a) The board may prescribe courses leading to customary degrees offered at leading American universities and medical schools as applicable and may award those degrees, including:

(1) bachelor's, master's, and doctoral degrees and their equivalents; and

(2) medical school degrees and other health science degrees.

(b) The board shall award degrees in the name of the university.

(c) A department, school, or degree program may not be instituted without the prior approval of the Texas Higher Education Coordinating Board, except that the university may include any department or school or offer any degree program previously approved for The University of Texas--Pan American or The University of Texas at Brownsville or expressly authorized by this chapter or other law.

#### Sec. 79.04. UNIVERSITY OF THE FIRST CLASS.

#### Sec. 79.05. FACILITIES.

#### Sec. 79.06. GIFTS AND GRANTS.

#### Sec. 79.07. JOINT APPOINTMENTS.

#### Sec. 79.08. PARTICIPATION IN PERMANENT UNIVERSITY FUND.

#### Sec. 79.09. CENTER FOR BORDER ECONOMIC AND ENTERPRISE DEVELOPMENT.

Sec. 79.10. TEXAS ACADEMY OF MATHEMATICS AND SCIENCE.

SECTION 2. CONFORMING AMENDMENT. Section 74.751(a), Education Code, is amended.

SECTION 3. THE UNIVERSITY OF TEXAS--PAN AMERICAN AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE ABOLISHED.

SECTION 4. UNIVERSITY CREATED.

SECTION 5. ADVISORY GROUP TO BOARD OF REGENTS.

SECTION 6. EFFECTIVE DATE.

Sec. 79.10. TEXAS ACADEMY OF MATHEMATICS AND SCIENCE.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.