

SUMMARY OF HIGHER EDUCATION LEGISLATION

86th TEXAS LEGISLATURE

OFFICE OF EXTERNAL RELATIONS
2019



Texas Higher Education
Coordinating Board



TEXAS HIGHER EDUCATION COORDINATING BOARD

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AGENCY MISSION

The mission of the Texas Higher Education Coordinating Board (THECB) is to provide leadership and coordination for the Texas higher education system and to promote access, affordability, quality, success, and cost efficiency through 60x30TX, resulting in a globally competitive workforce that positions Texas as an international leader.

AGENCY VISION

The THECB will be recognized as an international leader in developing and implementing innovative higher education policy to accomplish our mission.

AGENCY PHILOSOPHY

The THECB will promote access to and success in quality higher education across the state with the conviction that access and success without quality is mediocrity and that quality without access and success is unacceptable.



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SUMMARY OF HIGHER EDUCATION LEGISLATION

INTRODUCTION

In 2015, the Texas Higher Education Coordinating Board (THECB or Coordinating Board) adopted *60x30TX*, the state's strategic plan for higher education through 2030, designed to keep the Texas economy competitive with national and international peers. The plan includes ambitious goals for increasing the percentage of young workers holding a degree or certificate; increasing the number of students graduating from Texas institutions of higher education; embedding marketable skills in all degree and certificate programs; and keeping student debt manageable.

As the 86th Texas Legislature met in 2019, the state was nearly one-third of the way through the *60x30TX* timeframe. The policy and funding decisions undertaken by the Legislature during this session will have a substantial impact on Texas' ability to attain the goals of *60x30TX*.

This document provides a summary of higher education legislation from the 86th Texas Legislature that ultimately passed into law. It includes an analysis of the higher education component of House Bill 1, the General Appropriations Act for Fiscal Years 2020-2021, as well as of House Bill 3, which is major legislation restructuring how the state finances public (i.e. K-12) education. As a summary document, some information regarding bill provisions is necessarily omitted.

SUMMARY OF HIGHER EDUCATION FUNDING IN THE GENERAL APPROPRIATIONS ACT

86TH TEXAS LEGISLATURE
2020 - 2021 BIENNIUM

HB 1, the General Appropriations Act (GAA) for Fiscal Years 2020-2021 (FY20-21), sets spending levels for all state agencies for the coming fiscal biennium. The biennial All Funds budget for public higher education was increased from \$18.04 billion in FY18-19 to \$19.12 billion for FY20-21, an increase of \$1.08 billion or approximately six percent. All Funds include state General Revenue, General Revenue-Dedicated, Federal Funds and other sources of funding received by higher education agencies and institutions.

FORMULA FUNDING AND NON-FORMULA SUPPORT ITEMS

The **general academic institutions (GAI)** Instruction and Operations (I&O) Formula rate was increased from \$55.82 per weighted semester credit hour (SCH) to \$56.97. This compares to the Coordinating Board recommendation to fund the formula at \$56.79 per weighted SCH. HB 1 also increased the Infrastructure Support Formula rate from \$5.27 per square foot to \$5.52 (the Coordinating Board recommended \$5.36 per square foot).

For **community colleges**, HB 1 maintains the Core Operations rate of \$1.36 million per district as recommended by the Coordinating Board. Contact hour funding was also held steady at the FY18-19 level of \$5.40 per contact hour, although the Coordinating Board recommended an increase to \$5.49.

However, community college Student Success Point funding was increased substantially, from \$171.56 per point in FY18-19 to \$214.76 per point for FY20-21, just short of the Coordinating Board's recommendation of \$215 per point. Although Success Point weights are unchanged for the FY20-21 biennium, the bill includes rider language that it is the Legislature's intent that different success point weights be used for the FY22-23 biennium, to include 2.75 points per student transfer to a General Academic Institution (currently two points); 1.2 points per degree or certificate awarded in a field other than a critical field (currently two points), and three points per degree awarded in a critical field (currently 2.25 points).

For **state and technical colleges**, the I&O Formula rate for Lamar State Colleges increased from \$3.53 to \$5.23, above the THECB's recommendation of \$3.59. The Texas State Technical College (TSTC) "Returned Value" percentage was increased from 27.6 percent to 36 percent, also above the THECB's recommended 35 percent. The Returned

Value formula allocates 100 percent of TSTC funding based on the workforce success of their former students.

For **health-related institutions (HRIs)**, HB 1 increases the I&O formula rate from \$9,431 to \$9,692 per student, above the THECB's recommendation of \$9,595. The sector also received increases in the Infrastructure Support Formula rate from \$6.11 to \$6.27 per square foot (the THECB recommended \$6.21); the Research Enhancement Formula rate increased from 1.16 percent to 1.22 percent (the THECB recommended 1.18 percent); and the Graduate Medical Education rate increased from \$5,824 to \$5,992 (the THECB recommended \$6,890).

HB 1 also includes funding for several non-formula support items, previously known as "special items." Funding for non-formula support items at all institutions for the FY20–21 biennium totals \$1.1 billion in General Revenue Funds, which represents an increase of \$296.2 million from the FY18–19 biennium.

Among these items are \$20 million to the University of Houston for the College of Medicine, \$7.2 million to Texas State University for the School Safety Center, and \$17.35 million to Texas Tech University for the Veterinary Medicine program. A rider states Texas Tech may use the funds to initiate curriculum design and development, basic science faculty recruitment, and commencement of organization and other processes necessary to attain accreditation of the four-year veterinary medicine program.

TEXAS HIGHER EDUCATION COORDINATING BOARD FUNDING

The Coordinating Board's All Funds budget increased from \$1.584 billion in FY18-19 to \$1.78 billion in FY20-21, a \$196 million or approximately 12 percent increase. The majority of the increase was within three programs:

- HB 1 provides an additional \$60 million for **Graduate Medical Education Expansion Grants**, for a total of \$157 million in the FY20-21 biennium. This was an agency exceptional item request and represents the funding level necessary for the state to maintain the 1.1 to 1 ratio of first-year residency positions for each Texas medical school graduates. The increase accounts for three recently established medical schools – the Dell Medical School at The University of Texas at Austin, The University of Texas Rio Grande Valley School of Medicine, and the University of Incarnate Word School of Osteopathic Medicine – that will begin graduating medical students in the coming biennium.
- HB 1 provides an additional \$80 million for the TEXAS Grant programs, to a total of \$866 million. TEXAS Grant is the state's primary financial aid program for undergraduate students at Texas public universities. The level of funding provided in HB 1 will allow the program to make awards to all renewal students, as well as

approximately 70 percent of all initially eligible students, during the FY20-21 biennium. This is the same percentage of initially eligible students that are awarded in the current biennium. The funding level also assumes the universities will make awards at the \$5,000 target award amount that has been previously recommended by the Coordinating Board.

- The bill also includes a new funding item for the Coordinating Board: \$99 million to support the Texas Child Mental Health Care Consortium. This Consortium was created by SB 11 to address mental and behavioral health issues among school age children. The Coordinating Board is to act at as a “pass through” fiscal agent for funds to be awarded by the Consortium.

In addition to the above, HB 1 includes several increases to the Coordinating Board budget in line with agency requests:

- An increase in the commissioner of higher education’s annual salary from \$212,135 to \$299,813, supported by \$175,000 in general revenue
- \$230,000 for National Student Clearinghouse Data which will allow the agency to track outcomes of Texas students who move out of state
- \$520,000 (and one Full Time Equivalent position) for IT Application Portfolio Modernization that will implement a modern architecture and consolidate the agency’s 150 applications, lowering support costs and improving efficiency and security
- \$150,000 for Facilities Contract Lease Extension to cover the additional cost of a shorter-term building lease due to the agency’s expected move to the Capitol Complex
- \$250,000 for the creation of an Open Educational Resource (OER) Repository to provide Texas public and private institutions access to high quality OER materials that reduce the cost of educational materials on students
- \$300,000 for Texas Success Initiative Assessment (TSIA) Enhancement to support a new online system for students to retrieve and send test results
- \$1 million increase to Tuition Equalization Grants (TEG) that serve students at Texas private, non-profit colleges and universities

The Coordinating Board budget for FY20-21 also includes \$2.5 million to be transferred to The University of Texas Health Science Center at Tyler for the Northeast Texas Initiative, and \$4.17M increase to the Texas Armed Services Scholarship Program (TASSP) to support 140 nominations at a \$10,000 annual award amount.

RIDERS

HB 1 includes several changes or additions to riders in the Coordinating Board’s bill pattern and elsewhere that impact higher education.

Professional Nursing Shortage Reduction Program (THECB Rider 28): Changes to the rider for the Professional Nursing Shortage Reduction Program (PNSRP) direct the Coordinating Board, in consultation with nursing programs, to determine individual enrollment increase targets for nursing programs in the "Over 70" program. The methodology may allow for the required increase to vary by institution and account for the reallocation of unearned funds. The rider also directs the agency to conduct a study, in coordinating with stakeholders, regarding the effectiveness of PNSRP in addressing the statewide nursing shortage.

Contingency for SB 11 (THECB Rider 58): This new rider sets conditions and requirements on how the \$99 million appropriated to the Coordinating Board for implementation of SB 11 is to be used. While specific funding decisions are to be made by the Texas Child Mental Health Care Consortium (TCMHCC) created through SB 11, the rider requires that the following activities be implemented during the FY20-21 biennium:

- **Child Psychiatry Access Network.** The Coordinating Board shall transfer funds as directed by the Consortium for the creation of a network of child psychiatry access centers that will provide consultation services and training opportunities for pediatricians and primary care providers to better care for children and youth with behavioral health needs.
- **Texas Child Health Access Through Telemedicine.** The Coordinating Board shall transfer funds as directed by the Consortium to establish or expand telemedicine or telehealth programs for identifying and assessing behavioral health needs and providing access to mental health care services. This must prioritize the behavioral health needs of at-risk children and adolescents and maximize the number of school districts served in diverse regions of the state.
- **Community Psychiatry Workforce Expansion.** The Coordinating Board shall transfer funds as directed by the Consortium to fund community psychiatric workforce expansion projects. Each project must fund one full-time psychiatrist to serve as academic medical director at a facility operated by a community mental health provider and two new resident rotation positions at the facility.
- **Child and Adolescent Psychiatry Fellowships.** The Coordinating Board shall transfer funds as directed by the Consortium to fund additional child and adolescent psychiatry fellowship positions at health-related institutions.
- **Administration and Oversight.** By September 15, 2019, the Coordinating Board shall transfer \$1 million for fiscal year 2020 and \$500,000 for fiscal year 2021 to an institution of higher education designated by the TCMHCC to provide oversight and evaluation of the initiatives outlined in the bill.
- **Plan.** The TCMHCC shall develop a plan to implement the initiatives described above, including performance targets and timelines, and to promote and coordinate mental health research across state university systems in accordance with the statewide behavioral health strategic plan. This plan shall be submitted to the Legislative Budget Board by November 30, 2019.

Open Education Resource Instruction Materials (TEA Rider 57). Changes to this Texas Education Agency (TEA) rider regarding agency grants to develop Open Education Resource (OER) instructional materials require that courses commonly offered for dual credit be prioritized. It states that the commissioner of education shall collaborate with the commissioner of higher education to ensure that the rigor of any state-developed OER instructional materials for dual credit courses is reflective of collegiate expectations.

Interstate Education Compacts (TEA Rider 78). This new rider directs that \$640,000 appropriated to TEA in its Central Administration budget shall be used for interstate education compact fees authorized under statute, including the Southern Regional Education Board. This will ensure Texas' continued participation in the State Authorization Reciprocity Agreement (SARA), which allows Texas institutions to more easily offer distance education programs in other states.

ACADEMIC AFFAIRS

HB 3165 RELATING TO AN OCCUPATIONAL AND LIFE SKILLS ASSOCIATE DEGREE PROGRAM OFFERED BY THE LONE STAR COLLEGE SYSTEM DISTRICT

Author: Oliverson

Sponsor: Creighton

HB 3165 allows the Lone Star College District governing board to establish an occupational and life skills associate degree program at each junior college in the district. The degree must require the student to complete an appropriate curriculum approved by the governing board and additional courses selected from the student's degree plan. The degree is exempted from existing statutory language that states that associate degree students cannot be required to complete more than the minimum number of semester credit hours required by the Southern Association of Colleges and Schools.

Code Reference: Adds Education Code Section 130.0106

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 3652 RELATING TO THE CREATION OF A STATE REPOSITORY FOR OPEN EDUCATIONAL RESOURCES BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD

Author: C. Turner

Sponsor: Creighton

HB 3652 requires the Coordinating Board to contract with a high quality open educational resource (OER) repository to develop and maintain a web portal customized to meet the needs of individual institutions of higher education, students, and others who may benefit from access to open educational resources.

OER resources available through the portal must be searchable by course or learning outcome, program or field of study, marketable skills, college readiness, and other topics as determined by the Coordinating Board. The portal shall provide access to repositories maintaining a wide range of OER, including textbooks, full courses, course materials, modules, images, videos, assessment software, and any other tools, materials, or techniques used to support learning. Resources developed with state funds shall be made available under a Creative Commons license and submitted for use as an OER through a

repository available through the portal. A publisher may submit instructional materials for inclusion in a repository available through the portal. The Coordinating Board may request the assistance of the Learning Technology Advisory Committee to establish, maintain, and market the web portal. The bill requires the Coordinating Board to develop the web portal not later than September 1, 2020.

Code Reference: Adds Education Code 61.0670
Effective Date: September 1, 2019
Appropriation: HB 1 appropriates up to \$160,000 in General Revenue in fiscal year 2020 and up to \$90,000 in General Revenue in fiscal year 2021 to be used for the creation, maintenance and support of an Open Educational Resources Repository.

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 1441 **RELATING TO A STUDY BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD
COMPARING POSTSECONDARY EDUCATIONAL OUTCOMES FOR CERTAIN TRADITIONAL
AND NONTRADITIONAL STUDENTS**

Author: Zaffirini

Sponsor: C. Turner

SB 1441 requires the Coordinating Board to conduct a study comparing postsecondary educational outcomes for students enrolled at institutions of higher education who received a high school diploma and students who received a high school equivalency certificate, disaggregated by the high school equivalency examination completed. The Coordinating Board shall submit a report to the governor, the lieutenant governor, and the speaker of the House of Representatives on the results of the study and any recommendations for legislative or other action by December 1, 2020.

Code Reference: Adds Education Code 61.06692
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: College Readiness and Success

DEVELOPMENTAL AND ADULT EDUCATION

HB 1891 **RELATING TO AN EXEMPTION FROM THE ASSESSMENT REQUIREMENTS OF THE TEXAS SUCCESS INITIATIVE FOR STUDENTS WHO ACHIEVE CERTAIN SCORES ON CERTAIN HIGH SCHOOL EQUIVALENCY EXAMINATIONS**

Author: Stucky

Sponsor: Powell

HB 1891 states that a student who has achieved a certain score (as determined by the Coordinating Board) on a high school equivalency examination is exempt from the requirement to show college readiness on an assessment under the Texas Success Initiative. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid. This applies beginning with the assessment of entering undergraduate students at public institutions of higher education for the 2020 fall semester.

Code Reference: Amends Education Code Section 51.338

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: No

Lead THECB Division: College Readiness and Success

HB 1949 **RELATING TO THE CRITERIA FOR AWARDING ADULT EDUCATION AND LITERACY PROGRAM PERFORMANCE INCENTIVE FUNDS**

Author: Guillen

Sponsor: West

HB 1949 outlines additional criteria the Texas Workforce Commission must prescribe in awarding Performance Incentive Funding to Adult Education and Literacy (AEL) grant recipients. Specifically, the criteria must include enrollment and performance benchmarks, including that 25 percent of all students receiving AEL services under the grant be either enrolled in a high school equivalency program or a postsecondary "ability to benefit" program. Additionally, 70 percent of the students who exit the AEL program must achieve either a high school equivalency certificate or a postsecondary certificate by the end of the same program year.

Code Reference: Amends Labor Code Section 315.007

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: College Readiness and Success

DUAL CREDIT

HB 3650 **RELATING TO AN AGREEMENT BETWEEN A SCHOOL DISTRICT AND PUBLIC
INSTITUTION OF HIGHER EDUCATION TO PROVIDE A DUAL CREDIT PROGRAM TO HIGH
SCHOOL STUDENTS ENROLLED IN THE DISTRICT**

Author: C. Turner

Sponsor: Creighton

HB 3650 requires dual credit partnership agreements between a school district and a public institution of higher education to consider the use of free and low cost open educational resources in courses offered under the program. The requirement applies to dual credit agreements entered or renewed on or after September 1, 2019.

Code Reference: Education Code 28.008(b-2)

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

SB 1276 **RELATING TO AN AGREEMENT BETWEEN A SCHOOL DISTRICT AND PUBLIC
INSTITUTION OF HIGHER EDUCATION TO PROVIDE A DUAL CREDIT PROGRAM TO HIGH
SCHOOL STUDENTS ENROLLED IN THE DISTRICT**

Author: Powell

Sponsor: Frullo

SB 1276 expands the requirements for an agreement between a public school district and a public institution of higher education to provide a dual credit program to include requirements relating to:

- common advising strategies and terminology related to dual credit and college readiness;
- the alignment of high school endorsements with dual credit courses offered;
- any tools developed by the TEA, Coordinating Board or the Texas Workforce Commission to assist school counselors, students, and families in selecting high school endorsements and dual credit courses.

The new requirements apply only to dual credit agreements entered or renewed on or after September 1, 2019.

Code Reference: Amends Education Code 28.009(b-2)
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 1324 **RELATING TO THE FILING OF A DEGREE PLAN BY STUDENTS AT PUBLIC INSTITUTIONS
OF HIGHER EDUCATION**

Author: Taylor

Sponsor: C. Turner

SB 1324 extends the requirement to file a degree plan to students enrolled in dual credit coursework offered by a community college. Students enrolled in dual credit coursework offered through a community college are required to file a degree plan not later than the end of the second regular semester or term immediately following the semester or term in which the student successfully completes 15 or more semester credit hours. If a student begins at an institution with more than 15 semester credit hours of dual credit, the student has until the end of the student's second regular semester or term to file a degree plan. The Coordinating Board is required to engage in negotiated rulemaking with institutions of higher education for the administration of this section. Changes related to the degree plan apply beginning with the 2019-2020 academic year.

Code Reference: Adds Education Code 51.9685(c-2)
Amends Education Code 51.9685(g)
Effective Date: June 4, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

EDUCATOR PREPARATION PROGRAMS

HB 3217 **RELATING TO CERTAIN ELIGIBILITY REQUIREMENTS FOR ISSUANCE OF A TEACHING CERTIFICATE**

Author: Ashby

Sponsor: Paxton

Individuals applying for a teaching certificate for which a bachelor's degree is required must possess a bachelor's degree with an academic major or interdisciplinary academic major other than education that is related to the state's required curriculum. HB 3217 allows persons applying for teaching certificates requiring a bachelor's degree to major in education. It also removes the existing statutory requirement that the State Board for Educator Certification (SBOE) restrict the semester credit hours of education courses comprising a bachelor's degree used for the granting of a teaching certificate to 18. The bill also requires the SBOE to designate a minimum number of semester hours of field-based experience to be included in the credit hours needed for a teaching certification.

Code Reference: Amends Education Code Section 21.050

Effective Date: May 24, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HEALTH RELATED PROGRAMS

HB 80 **RELATING TO A STUDY AND REPORT REGARDING SHORTAGES IN CERTAIN HEALTH PROFESSIONS**

Author: Ortega

Sponsor: Rodríguez

HB 80 requires the Coordinating Board, subject to the availability of funds, to conduct a study to identify statewide and regional shortages in health professions, with an emphasis on shortages in doctoral-level training in those professions. As part of the study, the Board is directed to develop an inventory of existing health science education programs at public and private institutions of higher education and note the enrollment capacity for each of those programs. The study must include an analysis of shortages in the health professions of medicine, dentistry, nursing, physical therapy, occupational therapy, audiology, psychology, pharmacy, public health, and speech-language pathology.

The Coordinating Board is directed to make recommendations regarding the establishment of new programs and expansion of existing programs to meet the increased need for health professionals in the state, particularly those who serve rural communities. Not later than December 1, 2023, the Coordinating Board shall submit the study and recommendations for legislative or other actions to the governor, the lieutenant governor, the speaker of the House of Representatives, and each legislative standing committee with primary jurisdiction over higher education.

Code Reference: Adds Education Code 61.06691

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: Yes

Lead THECB Division: Academic Quality and Workforce

HB 826 **RELATING TO THE CREATION OF THE UNIVERSITY OF HOUSTON COLLEGE OF MEDICINE
AT THE UNIVERSITY OF HOUSTON**

Author: Zerwas

Sponsor: Huffman

HB 826 amends the Education Code to establish the University of Houston College of Medicine (COM) and include the COM in several sections relevant to health-related institutions. It defines the COM as part of the University of Houston System under the management and control of the University of Houston's Board of Regents, with degrees offered under the name and authority of the University of Houston. It authorizes the Board of Regents to prescribe courses leading to the customary degrees and allows for the adoption of rules as necessary for conducting a college of medicine of the first class. The Board of Regents can solicit, accept, and administer gifts and grants from any public or private source for the use and benefit of the college and may enter into agreements with public or private entities for additional facilities used in the college's teaching and research programs, including a teaching hospital. However, such a hospital may not be constructed, maintained, or operated with state funds.

The legislation also adds the COM to existing sections of code that deal with medical malpractice coverage for certain institutions, medical professional liability funds, limitations on appropriated funds, the definition of a "medical or dental unit," and participants in the Permanent Health Fund.

Code Reference: Adds Subchapter K to Education Code Chapter 111; Amends Education Code Sections 59.01, 59.02, 59.06, 61.003(5), 61.501(1), 63.002(c)

Effective Date: May 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 1065 **RELATING TO THE ESTABLISHMENT OF A RURAL RESIDENT PHYSICIAN GRANT
PROGRAM**

Author: Ashby

Sponsor: Kolkhorst

HB 1065 creates a new competitive grant program, the Rural Resident Physician Grant Program, which is intended to encourage the creation of new graduate medical education positions in rural and nonmetropolitan areas, with emphasis on the creation of rural

training tracks. Teaching hospitals and other appropriate entities as specified by the Coordinating Board intending to expand or create new physician residency programs are eligible for awards.

The legislation requires that grant program criteria be established in consultation with physicians (at least one of whom is in rural practice), teaching hospitals, medical schools, and independent residency programs. Criteria must allow consideration of whether the resources available to the new or expanded residency program are adequate to support the program to the extent required by the accrediting body's residency review committee requirements.

Grants are restricted to residency programs that provide the level of medical care that is most needed in a rural or nonmetropolitan area, and grant program funding ends when the residency program becomes eligible for federal grant funding. The use of grant funds is limited to direct costs related to creating or maintaining a residency position, such as resident salary.

The Coordinating Board is not required to implement the grant program if no funds are appropriated for that purpose.

Code Reference: Adds Subchapter E to Education Code Chapter 58A
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

HB 1401 **RELATING TO THE PERMANENT FUND FOR HEALTH-RELATED PROGRAMS TO PROVIDE GRANTS TO NURSING EDUCATION PROGRAMS**

Author: Howard

Sponsor: Hinojosa

HB 1401 extends until August 31, 2023, an existing statutory requirement that grants made from the Permanent Fund for the Higher Education Nursing, Allied Health, and Other Health-Related Programs be awarded to programs preparing students for initial licensure as registered nurses or programs preparing qualified faculty members with a master's or doctoral degree.

Code Reference: Amends Education Code Section 63.202

Effective Date: June 14, 2019
Appropriation: HB 1 appropriates \$3.8 million from the Tobacco Settlement Funds for nursing and allied health
THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

HB 1592 **RELATING TO HEALTH CARE PROFESSIONAL LIABILITY COVERAGE FOR CERTAIN PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

Author: Smithee

Sponsor: West

HB 1592 expands the applicability of provisions relating to medical professional liability coverage requirements at certain public institutions of higher education to include staff members belonging to additional health care professions, employees, and volunteers who provide health services or services to patients by assignment, and students of any health care profession that requires a state license, certification, or authorization. The bill adds the Texas State University System and the University of Houston System to the university systems to which such medical professional liability coverage requirements apply.

Code Reference: Amends Education Code Chapter 59 and Sections 59.01, 59.02, 59.04, 59.05, 59.06
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

HB 2867 **RELATING TO THE CREATION OF THE SAM HOUSTON STATE UNIVERSITY COLLEGE OF OSTEOPATHIC MEDICINE**

Author: Metcalf

Sponsor: Creighton

HB 2867 creates the Sam Houston State University (SHSU) College of Osteopathic Medicine as an entity under the management and control of the Texas State University System's Board of Regents. The college is authorized to offer courses leading to the Doctor of Osteopathic Medicine (DO) degree, to enter affiliation or coordinating agreements with other entities or institutions, to enter into agreements for the use of additional facilities for teaching or research, and to operate a teaching hospital (except

that the hospital may not be constructed, maintained, or operated with state funds). The legislation states that the College of Osteopathic Medicine is not entitled to receive state formula funding.

HB 2867 also adds the SHSU College of Osteopathic Medicine to existing statutes related to definitions and programs affecting Texas medical schools, including the Joint Admissions Medical Program's Council, participation in medical malpractice self-insurance funds, definitions of "medical or dental unit" and "medical school," and eligibility to receive funding from the state's Tobacco Settlement Fund.

Code Reference: Adds Education Code Section 96.66
Amends Education Code Sections 51.921, 58.002, 59.02(a) and (c),
61.003, 61.501, 63.002
Effective Date: May 29, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

HB 3285 **RELATING TO PROGRAMS AND INITIATIVES TO PREVENT AND RESPOND TO OPIOID ADDICTION, MISUSE, ABUSE, AND OVERDOSE AND IDENTIFY AND TREAT CO-OCCURRING SUBSTANCE USE DISORDERS AND MENTAL ILLNESS**

Author: Sheffield

Sponsor: Huffman

HB 3285 requires a public or private institution of higher education that imposes any mandatory training requirements on residential advisors or officers of student organizations to include overdose awareness and appropriate response training. It also directs the Coordinating Board to encourage health-related institutions and their faculty to conduct research, for public health purposes, regarding substance use disorders and addiction issues involving prescription drugs.

Code Reference: Adds Education Code Sections 51.9362 and 61.08205
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 479 **RELATING TO THE INCLUSION IN THE DEFINITION OF A MEDICAL AND DENTAL UNIT OF THE DELL MEDICAL SCHOOL AT THE UNIVERSITY OF TEXAS AT AUSTIN AND THE SCHOOL OF MEDICINE AT THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY AND THE PARTICIPATION OF THOSE SCHOOLS IN CERTAIN PROGRAMS AND FUNDING**

Author: Watson

Sponsor: Longoria

SB 479 adds The University of Texas at Austin Dell Medical School and The University of Texas at Rio Grande Valley School of Medicine as participating medical schools in the Joint Admissions Medical Program (JAMP) and to the definition of "medical and dental units" in the Education Code.

Code Reference: Adds Education Code 51.821(4)(J) and (K)
 Amends Education Code 61.003(5) and 63.002(c)
Effective Date: June 7, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 1378 **RELATING TO MEETING THE GRADUATE MEDICAL EDUCATION NEEDS OF MEDICAL DEGREE PROGRAMS OFFERED OR PROPOSED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

Author: Buckingham

Sponsor: C. Turner

SB 1378 amends statute to require medical degree programs that plan to increase enrollment to propose a corresponding increase in the number of first-year residency positions sufficient to accommodate the institution's planned increases in class size. The bill also would require that any institution that experienced greater enrollment growth than anticipated in its graduate medical education plan to submit an updated plan to the Coordinating Board that considers current and future anticipated enrollment growth in the institution's medical degree programs. The Coordinating Board is required to adopt rules that clearly define what constitutes a substantial growth in class size for an institution.

Code Reference: Amends Education Code 61.05122(b) and (d)
 Adds 61.05122 (d-1)
Effective Date: May 20, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 1755 **RELATING TO THE STATUS OF CERTAIN MEDICAL RESIDENTS AND FELLOWS AS
GOVERNMENTAL EMPLOYEES FOR PURPOSES OF THE TEXAS TORT CLAIMS ACT**

Author: Creighton

Sponsor: Oliverson

SB 1755 amends the Civil Practice and Remedies Code to establish that, for purposes of the Texas Tort Claims Act, a resident or fellow in a graduate medical training program for physicians that is sponsored by a governmental unit is an employee of a governmental unit regardless of the method or source of payment of the resident or fellow.

Code Reference: Adds Civil and Remedies Code 101.004
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 1788 **RELATING TO THE PAYMENT OF CERTAIN COSTS ASSOCIATED WITH CERTAIN
PROGRAMS OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO**

Author: Zaffirini

Sponsor: Raymond

SB 1788 allows funds appropriated for the education of university students at The University of Texas Health Science Center at San Antonio to be used to pay for educational program costs for students attending the Laredo Regional Campus and receiving clinical training in Webb County and the surrounding communities, including ground or air transportation, lodging, and related expenses.

Code Reference: Adds Government Code 660.004(e)
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

SB 2011 **RELATING TO A STUDY AND REPORT REGARDING STREAMLINING PHYSICIAN
LICENSING REQUIREMENTS FOR ADVANCED PRACTICE REGISTERED NURSES**

Author: Buckingham

Sponsor: Sheffield

SB 2011 requires the Coordinating Board to collaborate with at least one institution of higher education, the Texas Medical Board, and the Texas Board of Nursing to conduct a study regarding the feasibility of developing a pilot program to streamline the requirements for an advanced practice registered nurse to become eligible for a license to practice medicine. The Coordinating Board shall submit to the governor, lieutenant governor, the speaker of the House of Representatives, and each legislative standing committee with primary jurisdiction over matters relating to higher education or occupational licensing, a report on the results of the study and any recommendations for legislative or other action by December 1, 2020.

Code Reference: Adds Education Code 61.06693
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: Yes
Lead THECB Division: Academic Quality and Workforce

SB 2111 **RELATING TO THE HEALTH AND HUMAN SERVICES COMMISSION DEVELOPING A PLAN
TO CONTRACT WITH A PUBLIC INSTITUTION OF HIGHER EDUCATION TO OPERATE A
CERTAIN STATE HOSPITAL**

Author: Watson

Sponsor: Price

SB 2111 directs the Health and Human Services Commission (HHSC) to establish a plan under which the commission may contract with a local public institution of higher education to transfer the operations of the Austin State Hospital from the HHSC to a local public institution of higher education. The bill lists requirements for the plan and requires the HHSC to submit to the governor, lieutenant governor, the speaker of the House of Representatives, and the Legislature a report containing the plan and any recommendations for legislative or other actions.

Code Reference: Adds Education Code, Chapter 552, Subchapter E
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: General Counsel

TRANSFER

SB 25 RELATING TO MEASURES TO FACILITATE THE TRANSFER, ACADEMIC PROGRESS, AND TIMELY GRADUATION OF STUDENTS IN PUBLIC HIGHER EDUCATION

Author: West

Sponsor: C. Turner

Report on nontransferable credit

SB 25 requires general academic teaching institutions to provide annually to the Coordinating Board and the Legislature a report describing nontransferable credit for transfer students. Specifically, institutions are required to report any courses in the Lower-Division Academic Course Guide Manual for which a student who transfers to the institution from another institution of higher education is not granted:

- academic credit at the receiving institution; or
- if the student has declared a major and has not changed majors, academic credit toward the student's major at the receiving institution.

The report must indicate the course name and type, which institution of higher education provided academic credit for the course, and the reason why the receiving institution did not grant academic credit for the course.

Public community colleges are required to report courses taken by students who, during the preceding academic year, transferred to a general academic teaching institution or earned an associate degree at the college. The report must include the total number of courses attempted and completed at the college disaggregated by lower-division academic courses or workforce education courses, courses not in the core curriculum, and dual credit courses. The first report is due no later than March 1, 2021.

Common admission application

The bill requires the Coordinating Board to include the ability for an applicant to indicate on the common admission application consent for an institution of higher education to share their application for admission with another institution if the applicant is denied admission to the preferred degree program.

Filing of degree plan

SB 25 changes requirements for filing of a degree plan and extends the requirement to dual credit students. Students enrolled in an associate or bachelor's degree program at an institution of higher education shall file a degree plan with the institution after the 12th class day but before the end of the semester or term immediately following the semester or term in which the student earns a cumulative total of 30 or more semester credit hours for coursework successfully completed. The cumulative total includes transfer courses, international baccalaureate courses, dual credit courses, and any other course for which the institution the student attends has awarded the student college course credit, including course credit awarded by examination. Students enrolled in dual credit

coursework are required to file a degree plan not later than the end of the second regular semester or term immediately following the semester or term in which the student successfully completes 15 or more semester credit hours. If a student begins at an institution with more than 15 semester credit hours of dual credit, the student has until the end of the student's second regular semester or term to file a degree plan. The Coordinating Board is required to engage in negotiated rulemaking with institutions of higher education for the administration of this section. Changes related to the degree plan apply beginning with the 2019-2020 academic year.

Recommended course sequences

The bill requires each institution of higher education to develop at least one recommended course sequence for each undergraduate certificate or degree program offered by the institution. Each recommended course sequence must include specific course information aimed to provide students with specific sequences in which courses should be completed. Institutions shall submit the recommended course sequences to the Coordinating Board and include them in course catalogs and on the institution's website. The Coordinating Board is required to engage in negotiated rulemaking for rules relating to course sequences. Course sequence requirements start with the 2021-2022 academic year.

Articulation agreements

SB 25 specifies that a general academic teaching institution may enter into an articulation agreement with a lower-division institution of higher education to identify up to 60 semester credit hours for courses completed at the lower-division institution that must be accepted for credit toward specific course requirements at the general academic institution. Articulation agreements entered on or after September 1, 2019, may use Coordinating Board approved fields of study curricula.

Release of student academic information

The bill authorizes an institution of higher education or a school district to release student information to another institution of higher education for purposes of transferring course credit or awarding course credit in accordance with federal privacy laws. Student data also may be shared through an electronic data sharing and exchange platform operated by an agent of the institution or district that meets nationally accepted standards, conventions, and practices.

Appropriations for specific dual credit courses

Semester credit hours for dual credit courses offered by institutions of higher education providing course credit in a field of study or a program of study curriculum are authorized to receive funding.

Study and report on core curriculum

SB 25 requires the Coordinating Board to conduct a study and make recommendations to the Legislature regarding the feasibility of implementing statewide meta majors in

specific academic disciplines. An advisory committee consisting of representatives of community colleges and general academic teaching institutions must be appointed by the Coordinating Board to assist in completing the study. A majority of members on the advisory committee must be representatives of a general academic institution at which at least 25 percent of students enrolled at the institution for the 2018 fall semester were classified as transfer students. The Coordinating Board is required to ensure balanced representation on the advisory committee with respect to regions of the state, institution mission type, university system affiliation, student enrollment, and accountability groupings.

The committee must also study and make recommendations to the Coordinating Board regarding the effectiveness of the transfer of course credit between institutions for courses in the core curriculum. The study and recommendations must include an analysis of the efficacy of dividing the recommended core curriculum for each meta major into a general academic core curriculum and an academic discipline core curriculum, methods to ensure the transferability and applicability of courses in the two core curricula, and the potential inclusion of courses in the field of study curricula in the recommended core curriculum.

The advisory committee shall submit to the chairs of the higher education legislative committees a report on the advisory committee's progress each quarter. The final report with results of the study and any recommendations are due to the lieutenant governor, the speaker of the House of Representatives, and the standing legislative committees with primary jurisdiction over higher education on November 1, 2020.

Code Reference: Adds Education Code 51.400, 51.4033, 51.4034, 51.96852, 51.96853, 51.9715(a-1), 61.8221, and 61.827(b)
Amends Education Code 51.9685(a)(2), 51.9685 (b), (c), and (g), 51.9715(b), 61.059(p), and 130.0104(c)
Repeals 51.9685(c-1)

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: Yes

Lead THECB Division: Academic Quality and Workforce / Strategic Planning and Funding

SB 502**RELATING TO REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO ISSUE REPORTS
ON THE TRANSFERABILITY OF CREDIT***Author:* Seliger*Sponsor:* Howard

SB 502 requires general academic teaching institutions to provide annually to the Coordinating Board and the Legislature a report describing nontransferable credit for transfer students. Specifically, institutions are required to report any courses in the Lower-Division Academic Course Guide Manual for which a student who transfers to the institution from another institution of higher education is not granted:

- academic credit at the receiving institution; or
- if the student has declared a major and has not changed majors, academic credit toward the student's major at the receiving institution.

The report must indicate the course name and type, which institution of higher education provided academic credit for the course, and the reason why the receiving institution did not grant academic credit for the course.

Public community colleges are required to report courses taken by students who, during the preceding academic year, transferred to a general academic teaching institution or earned an associate degree at the college. The report must include the total number of courses attempted and completed at the college, completed courses, and dual credit courses. The first report is due no later than March 1, 2021.

Code Reference: Adds Education Code 51.400, 51.4033, and 51.4034

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: Yes

Lead THECB Division: Strategic Planning and Funding

ACCOUNTABILITY AND TRANSPARENCY

HB 277 **RELATING TO A REQUIREMENT THAT ONLINE ADMISSION APPLICATION FORMS FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION INCLUDE A LINK TO CERTAIN COMPARATIVE GAINFUL EMPLOYMENT DATA**

Author: Oliverson

Sponsor: Creighton

HB 277 requires that the state's common admission application website (i.e. ApplyTexas) include a prominent link to comparative employment data regarding institutions of higher education, using data compiled by the Coordinating Board in coordination with the Texas Workforce Commission. Likewise, any common admission application website for a university system must include a prominent link to comparative employment data. The Coordinating Board is directed to comply with the added changes as soon as practicable but not later than January 1, 2020.

Code Reference: Adds Education Code Section 51.762(b-1)

Amends Education Code 51.763(b)

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Strategic Planning and Funding

ADMISSIONS

**HB 539 RELATING TO THE AUTOMATIC ADMISSION AND ELIGIBILITY FOR CERTAIN
SCHOLARSHIPS OF A STUDENT WHO IS THE VALEDICTORIAN OF THEIR HIGH SCHOOL
GRADUATING CLASS.**

Author: Leman

Sponsor: Kolkhorst

HB 539 amends the automatic admissions statute so that a high school valedictorian, regardless of the size of their graduating class, is guaranteed admission into all public universities in Texas. The valedictorians still must meet all other admission requirements of university. The legislation also makes all valedictorians eligible for the Top 10 percent Scholarship under Texas Education Code 56.484, provided they meet all other eligibility criteria. These provisions apply beginning with admission for the 2019-2020 academic year.

Code Reference: Amends Education Code Sections 51.803 and 56.484

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: College Readiness and Success

CAMPUS SAFETY AND POLICIES

HB 476 **RELATING TO THE USE OF EPINEPHRINE AUTO-INJECTORS BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

Author: Howard

Sponsor: Menéndez

HB 476 specifies that institutions of higher education shall include information about their policies regarding the maintenance, storage, administration, and disposal of epinephrine auto-injectors in the institution's student handbook or similar publication as well as on the institution's website. It requires higher education institutions to submit the epinephrine auto-injectors policy and any amendment to the Department of State Health Services (DSHS) and requires DSHS to maintain records of the most recent policies and amendments and make that information available to the public on request.

Code Reference: Amends Education Code Section 51.882

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 1735 **RELATING TO SEXUAL HARASSMENT, SEXUAL ASSAULT, DATING VIOLENCE, AND STALKING AT PUBLIC AND PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTIONS**

Author: Howard

Sponsor: Watson

HB 1735 makes numerous changes to state policies and requirements regarding sexual harassment, sexual assault, dating violence, and stalking at public and private, nonprofit institutions of higher education. Institutions are required to adopt a policy on such offenses for both enrolled students and employees, to include definitions of prohibited behavior, sanctions for violations, protocols for reporting and responding, measures to protect victims during the disciplinary process, and a statement regarding the rights of victims. The policy must be approved by the institution's governing board and made available in the student handbook and personnel handbook as well as through a clearly identifiable link on the institution's website.

Institutions must require entering students to attend an orientation on the institution's sexual harassment, sexual assault, dating violence, and stalking policy before or during the first semester or term in which the student is enrolled at the institution.

The institution must develop and implement a comprehensive prevention and outreach program that addresses a range of prevention strategies and provides students with protocols for reporting incidents. In responding to reports of sexual harassment, sexual assault, dating violence, and stalking, the institution must ensure that any alleged victim or alleged perpetrator has access to a counselor and can drop a course that both parties are enrolled in without penalty.

The legislation adds several requirements regarding the disciplinary process for alleged violations to provide the students and alleged victim with prompt and equitable access to evidence and protection from retaliation. If a student subject to a pending disciplinary charge withdraws or graduates, the institution must continue the disciplinary process to a final determination.

If the Coordinating Board determines that an institution is not in substantial compliance with the bill's requirements, the agency may assess an administrative penalty against the institution in an amount not to exceed \$2 million. The commissioner of higher education is charged to establish an advisory committee to make recommendations regarding rules to implement the provisions and develop recommended training for Title IX coordinators.

Code Reference: Adds Subchapter E-3 to Education Code Chapter 51

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: Yes

Lead THECB Division: Academic Quality and Workforce

SB 11 **RELATING TO POLICIES, PROCEDURES, AND MEASURES FOR SCHOOL SAFETY AND MENTAL HEALTH PROMOTION IN PUBLIC SCHOOLS AND THE CREATION OF THE TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM**

Author: Taylor

Sponsor: G. Bonnen

SB 11 establishes policies, procedures, and measures for school safety and mental health in Texas public schools. The bill also amends existing requirements for public community colleges to adopt and implement a multi-hazard emergency operations plan. The plan must address prevention, mitigation, preparedness, response, and recovery of

emergencies as defined by the Texas School Safety Center (Center) in conjunction with the Governor's Office of Homeland Security and the commissioner of education or commissioner of higher education. The plan must include a variety of measures including:

- training in responding to an emergency for employees;
- measures to ensure access to a telephone or another electronic communication device to allow for immediate contact with emergency service agencies;
- measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency; and
- mandatory drills and exercises for school districts, including emergency evacuation drills.

The Center is required to establish a random or need-based cycle for the center's review and verification of school district and community college multihazard emergency operations plans.

At least once every three years, each school district and public community college is required to conduct a safety and security audit of facilities and report the results to the Center. SB 11 requires specific individuals to sign the report before submitting it to the Center.

The TEA is required to develop a variety of resources for school districts to use related to student mental health. The resources must be developed in conjunction with multiple stakeholders, including the Coordinating Board.

Texas Child Mental Health Care Consortium

SB 11 also creates the Texas Child Mental Health Care Consortium. The Consortium is established to leverage the expertise and capacity of health-related institutions of higher education to address urgent mental health challenges and improve the mental health care system in this state in relation to children and adolescents, and to enhance the state's ability to address mental health care needs of children and adolescents through collaboration of the state's health-related institutions of higher education. The consortium is composed of the following health-related institutions of higher education:

- Baylor College of Medicine;
- Texas A&M University System Health Science Center;
- Texas Tech University Health Sciences Center;
- Texas Tech University Health Sciences Center at El Paso;
- University of North Texas Health Science Center at Fort Worth;
- The Dell Medical School at The University of Texas at Austin;
- The University of Texas M.D. Anderson Cancer Center;
- The University of Texas Medical Branch of Galveston;
- The University of Texas Health Science Center at Houston;
- The University of Texas Health Science Center at San Antonio;

- The University of Texas Rio Grande Valley School of Medicine;
- The University of Texas Health Science Center at Tyler; and
- The University of Texas Southwestern Medical Center

Other members of the consortium are the Health and Human Services Commission, the Coordinating Board, three non-profit organizations that focus on mental health care designated by a majority of the members of the consortium, and any other entity the executive committee considers necessary. The consortium is administratively attached to the Coordinating Board for receiving and administering appropriations and other funds.

The consortium is required to establish a network of comprehensive child psychiatry access centers to be located at a health-related institution and establish or expand telemedicine or telehealth programs for identifying and assessing behavioral health needs and providing access to mental health care services.

The consortium is governed by an executive committee composed of specific representatives from each health-related institution on the consortium, a representative of the Coordinating Board appointed by the commissioner of higher education, two representatives of the HHSC with expertise in mental health facilities and delivery of mental health care services appointed by the executive commissioner, a representative of each nonprofit organization on the consortium, a representative of a hospital system in this state, and any other representative designated by the majority of the executive committee or designated by the president of each of the health-related institutions on the consortium. A presiding officer is elected by the executive committee. The bill allows the consortium to designate a member of the executive committee to the Statewide Behavioral Health Coordinating Council. The executive committee is tasked to coordinate the funding to the health-related institutions, establish procedures and policies for the administration of funds, monitor funding and agreements, and establish procedures to document compliance by executive committee members and staff.

The executive committee may provide funding to health-related institutions for a variety of purposes related to expanding child psychiatry workforce positions and fellowships.

The consortium is required to report to the governor, lieutenant governor, the speaker of the House of Representatives, and the Legislature, on the activities and objectives of the consortium, the health-related institutions that receive funding by the executive committee, and any legislative recommendations not later than December 1 of each even-numbered year.

Note: This summary focuses on provisions that involve institutions of higher education. The complete text of the bill is available at: <https://texreg.sos.state.tx.us/public/SB11>

Code Reference: Amends or adds various sections of the Education Code, Occupations Code, and Health and Safety Code
Effective Date: June 6, 2019
Appropriation: HB 1 appropriates \$99 million to the Coordinating Board to allocate at the direction of the Texas Child Mental Health Care Consortium

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 18 **RELATING TO THE PROTECTION OF EXPRESSIVE ACTIVITIES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

Author: Huffman

Sponsor: Geren

SB 18 amends current law relating to the protection of expressive activities at public institutions of higher education. Specifically, the bill requires institutions to recognize freedom of speech and assembly as central to their mission and ensure that all persons may assemble peaceably on campus for expressive activities, including to listen to or observe the expressive activities of others. Additionally, each institution shall adopt a policy detailing students' rights and responsibilities regarding expressive activities at the institution. By December 1, 2020, each institution shall prepare, post on the institution's website, and submit to the governor and the Legislature, a report regarding the institution's implementation of this bill.

Code Reference: Adds Education Code 51.9315
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: General Counsel

SB 38 **RELATING TO THE OFFENSE OF HAZING**

Author: Zaffirini

Sponsor: Lozano

SB 38 amends the current law relating to the offense of hazing. The bill clarifies the definition of hazing and the kinds of conduct that fall within that definition. Additionally, the bill amends sections concerning immunity from prosecution for those reporting

hazing incidents, adds a venue provision specifying in which courts a violation of the hazing law may be prosecuted, and strengthens institutional reporting of hazing misconduct. Institutions are required to post in a prominent location on their website a report on hazing committed on or off campus by an organization registered with or recognized by the institution. Additionally, institutions shall provide students a notice regarding the nature and availability of the report during orientation.

Code Reference: Amends Education Code 37.151(5) and (6), 37.155, 51.936(c)
Adds Education Code 37.158, 51.936(c-1) and (C-2)
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 212 **RELATING TO REPORTING REQUIREMENT FOR CERTAIN INCIDENTS OF SEXUAL HARASSMENT, SEXUAL ASSAULT, DATING VIOLENCE, OR STALKING AT CERTAIN PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION; CREATING A CRIMINAL OFFENSE; AUTHORIZING ADMINISTRATIVE PENALTIES.**

Author: Huffman

Sponsor: Morrison

SB 212 requires an employee of a public or private institution of higher education who witnesses or is told about an incident involving sexual harassment, sexual assault, dating violence, or stalking alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident to report such incidents to the institution's Title IX coordinator. The bill provides immunity to a person acting in good faith who reports or assists in the investigation of a report of sexual harassment, sexual assault, dating violence, or stalking. Additionally, the bill authorizes specific actions for failure to report or submitting a false report of such incidents, prohibits retaliation against employees reporting in good faith, and requires the confidentiality of the alleged victim of an incident.

The bill also requires the Chief Executive Officers of each institution of higher education to annually certify in writing to the Coordinating Board that the institution is in substantial compliance with the provisions of this bill. If the Coordinating Board determines that an institution is not in substantial compliance with the provisions of the bill, the Coordinating Board may assess an administrative penalty against the institution in an amount not to exceed \$2 million. Institutions of higher education are prohibited to use state or federal funds to pay the penalty. The Coordinating Board is required to

report annually to the governor, the lieutenant governor, the speaker of the House of Representatives, and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at institutions of higher education. The Coordinating Board is required to engage in negotiated rulemaking to implement and enforce these provisions. The first report is due by January 1, 2021.

The commissioner of higher education is required to establish an advisory committee to develop recommended training for persons required to report certain incidents and for Title IX Coordinators. The advisory committee shall develop the recommended training by December 1, 2019.

Code Reference:	Adds Education Code, Chapter 51, Subchapter E-2. Amends Education Code 61.0331 and Government Code 420.008(b)
Effective Date:	This Act takes effect September 1, 2019, except Section 51.260, Education Code, as added by this Act, takes effect immediately and Section 51.255(a), Education Code, takes effect January 1, 2020.
Appropriation:	None
THECB Rulemaking:	Yes
THECB Reporting Requirement:	Yes
Lead THECB Division:	Academic Quality and Workforce

FEES

HB 1277 **RELATING TO AUTHORIZING A WELLNESS AND SUCCESS CENTER FEE AT THE UNIVERSITY OF HOUSTON-DOWNTOWN**

Author: Perez

Sponsor: Miles

HB 1277 authorizes the University of Houston to charge each student a wellness and success center fee to be used only to finance, construct, operate, maintain, improve, and equip a center and to operate other wellness programs at the institution. A majority of students participating in a general election held for the purpose of approving the fee must vote in favor of adding this new fee, and the ballot proposition must clearly state the amount of the fee and the reason for the fee increase. The maximum amount to be charged per student is \$150 for each regular semester, \$75 for each summer session of eight weeks or longer, and \$50 for each summer session of less than eight weeks. The Board of Regents may increase the fee by not more than 10 percent of the amount charged in the previous year – any increase greater than 10 percent requires approval by the student body.

Code Reference: Adds Education Code Section 54.5402

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Strategic Planning and Funding

HB 1439 **RELATING TO THE INTERCOLLEGIATE ATHLETICS FEE AT TEXAS A&M UNIVERSITY-SAN ANTONIO**

Author: Pacheco

Sponsor: Flores

HB 1439 authorizes the Texas A&M Board of Regents to create a mandatory fee at Texas A&M University – San Antonio of no more than \$10 per semester credit hour to support intercollegiate athletics, subject to approval by a majority of the students participating in a general election held for the purpose of approving the fee. A student may not be charged for more than 12 semester credit hours per semester.

The fee may be increased from year to year, if approved by a majority vote of the student government (for increases of 5 percent or less) or a majority of students participating in

a general election held for the purpose of approving the fee increase (for increases greater than 5 percent).

Code Reference: Amends Education Code Section 63.202
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 1516 **RELATING TO THE INTERCOLLEGIATE ATHLETICS FEE AT TEXAS SOUTHERN UNIVERSITY**

Author: Coleman

Sponsor: Creighton

HB 1516 removes language in the Education Code that prevents Texas Southern University from charging an intercollegiate athletics fee for more than five academic years.

Code Reference: Repeals Education Code Sections 54.5223(g) and (h)
Effective Date: June 4, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 2680 **RELATING TO THE STUDENT RECREATIONAL FACILITY FEE AT THE UNIVERSITY OF TEXAS AT TYLER**

Author: Schaefer

Sponsor: Hughes

HB 2680 would allow the University of Texas at Tyler to increase the recreational facility fee subject to approval by a majority vote of the students participating in a general student election held at the university for that purpose. The ballot proposition must clearly state the amount of the proposed fee increase and describe the reason for the proposed fee increase.

Code Reference: Amends Education Code Sections 54.5341(b) and (f)
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 2718 **RELATING TO AUTHORIZING AN INCREASE IN THE STUDENT UNION FEE AT THE
UNIVERSITY OF TEXAS AT ARLINGTON**

Author: C. Turner

Sponsor: West

HB 2718 authorizes the University of Texas System Board of Regents to increase the student union fee at the University of Texas at Arlington to no more than \$150 per student for each regular semester and \$75 per student for each term of the summer session. The fee may not be increased in the future without a majority vote of students voting in an election held for that purpose. Ballot language for a fee increase must clearly identify amount and reason for the fee increase.

Code Reference: Amends Education Code Section 54.529(a)
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 3312 **RELATING TO AUTHORIZING A HEALTH AND WELLNESS CENTER FEE AT THE
UNIVERSITY OF HOUSTON-VICTORIA**

Author: Morrison

Sponsor: Kolkhorst

HB 3312 authorizes the University of Houston-Victoria to charge a recreation and wellness center fee of no more than \$150 per student for each regular semester, \$100 for each summer session of 10 weeks or longer, and \$50 for each summer session of less than 10 weeks. The fee is subject to approval by a majority of students voting in an election held for that purpose. Any subsequent increase to the fee may approved by the board of regents if it is less than a 10 percent increase or through a majority vote of students if it

is more than 10 percent. The fee may be waived for students residing more than 50 miles outside the corporate limits of Victoria.

Code Reference: Adds Education Code Section 54.5406
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 4182 **RELATING TO AN INTERCOLLEGIATE ATHLETICS FEE AT THE UNIVERSITY OF NORTH TEXAS AT DALLAS**

Author: Sherman

Sponsor: West

HB 4182 authorizes the board of regents of the University of North Texas System to charge each student enrolled at the University of North Texas at Dallas an intercollegiate athletics fee in an initial amount not to exceed \$10 per semester credit hour for each regular semester or summer session. The fee may not be charged unless approved by a majority vote of the students enrolled at the university who participate in a general student election held for that purpose. The fee may be increased each academic year only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed 5 percent, by a majority vote of the legislative body of the university student government. The fee is capped at 12 semester credit hours and shall only be used to develop and maintain an intercollegiate athletics program at the university. The fee authorized by HB 4182 may not be charged before the 2019 fall semester.

Code Reference: Adds Education Code 54.5192
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

FINANCIAL AID AND STUDENT DEBT

HB 766 **RELATING TO EXEMPTIONS FOR DISABLED PEACE OFFICERS AND FIRE FIGHTERS FROM PAYMENT OF TUITION AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

Author: Huberty

Sponsor: Watson

HB 766 amends the existing Disabled Peace Officers Exemption by expanding eligibility to include disabled firefighters. The exemption also is changed from optional to mandatory for all eligible recipients. Notwithstanding that requirement, an institution may not provide exemptions to students enrolled in a specific course in a number that exceeds 20 percent of the maximum student enrollment designated for that course.

Code Reference: Amends Education Code 54.352

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Financial Services

HB 2140 **RELATING TO CREATING AN ELECTRONIC APPLICATION SYSTEM FOR STATE STUDENT FINANCIAL ASSISTANCE**

Author: Neave

Sponsor: Powell

HB 2140 requires the Coordinating Board to adopt procedures whereby the Texas Application for State Financial Aid may be completed and submitted through the same Internet website through which the Coordinating Board provides the common admission application form (i.e. ApplyTexas). The Coordinating Board is required to appoint an advisory committee of financial aid personnel and stakeholders who represent the needs of students to assist in developing procedures and recommendations for implementing the requirement. Not later than January 1, 2021, the Coordinating Board shall report the advisory committee's recommendations to the standing committee of each house of the legislature with jurisdiction over higher education.

Code Reference: Adds Education Code Section 61.07762

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: College Readiness and Success

HB 2261 **RELATING TO THE PHYSICIAN EDUCATION LOAN REPAYMENT PROGRAM**

Author: Walle

Sponsor: Hinojosa

HB 2261 increases the maximum amount of loan repayment assistance that a physician may receive through the Physician Education Loan Repayment Program for each year of eligibility, to a maximum of \$180,000 over a period of four years. This change applies only to those who first establish eligibility based on an application submitted on or after September 1, 2019.

Code Reference: Amends Education Code Sections 61.538(a) and (c)
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

HB 3124 **RELATING TO TUITION AND FEES CHARGED BY THE TEXAS A&M UNIVERSITY SYSTEM
FOR CERTAIN NATIONAL LABORATORY OR NATIONAL LABORATORY OPERATOR
EMPLOYEES AND DEPENDENTS**

Author: Wilson

Sponsor: Flores

HB 3124 authorizes the charging of in-state tuition and fees at Texas A&M System institutions for any persons or their dependents who are employees of a national laboratory or a national laboratory operator with whom the system has entered into a management and operations agreement. This change applies beginning with the fall 2019 semester.

Code Reference: Adds Education Code Section 54.369
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 3808 **RELATING TO MEASURES TO FACILITATE THE TIMELY GRADUATION OF AND
ATTAINMENT OF MARKETABLE SKILLS BY STUDENTS IN PUBLIC HIGHER EDUCATION**

Author: Walle

Sponsor: Powell

Texas College Work-Study Program

To participate in the Texas College Work-Study Program, the bill requires an institution of higher education to:

- provide employment to an eligible student in nonpartisan and nonsectarian activities;
- provide employment to an eligible student that is related to the student's academic interests;
- use work-study program positions only to supplement and not supplant positions normally filled by persons not eligible to participate in the work-study program; and
- provide from sources other than federal college work-study funds 100 percent of other employee benefits for the employed student.

Texas WORKS Internship Program

HB 3808 creates the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) internship program administered by the Coordinating Board. The purpose of the program is to provide jobs funded in part by the state of Texas, to enable students employed through the program to attend public or private institutions of higher education in Texas while exploring career options and strengthening marketable skills. The Coordinating Board is required to collaborate with eligible employers to provide students employed through the program with employment funded in part by the state. The Coordinating Board is required to establish criteria to ensure that:

- a participating employer is reimbursed under the program at the rate established by the Coordinating Board only for fully paid eligible wages; and
- marketable skills to be strengthened or gained through a student's internship position are identified.

The Coordinating Board is charged with developing a standard contract establishing the roles and responsibilities of eligible employers, base wages and minimum work hours for students employed through the Texas WORKS program and any other provisions needed to administer the program.

The bill allows the Texas WORKS internship program to be funded through funds appropriated for the Texas College Work-Study Program. Funds may be used to establish and maintain an online portal for use by students and participating entities in fulfilling their responsibilities for participation in Texas WORKS. If funding is insufficient to cover the cost of all students eligible for the program, the Coordinating Board may establish eligibility criteria through rules. HB 3808 states funds received by students employed through the program as eligible wages are not considered financial aid for the academic year in which the funds are earned.

The Coordinating Board may enter into agreements with eligible employers. Employers must:

- be a private nonprofit, private for-profit, or governmental entity but not a public or private institution of higher education or a career school or college;
- demonstrate the administrative and financial capacity to carry out the employer's responsibilities under the program, including the ability to pay full wages and benefits to a student employed through the program;
- enter into a memorandum of understanding with the Coordinating Board;
- provide employment to a student employed through the program in nonpartisan and nonsectarian activities that relate to the student's long-term career interests;
- use program positions only to supplement and not supplant positions normally filled by persons who are not eligible to participate in the program, as provided by Coordinating Board rule;
- provide the entirety of an employed student's wages and employee benefits;
- submit eligible wages to the Coordinating Board for reimbursement; and
- comply with other requirements adopted by the Coordinating Board.

The Coordinating Board is required to establish and maintain an online listing of Texas WORKS internship program employment opportunities available to students.

The Coordinating Board is required to, as part of the annual report to the governor, lieutenant governor, the speaker of the House of Representatives, and the standing legislative committees with primary jurisdiction over higher education, on Texas College Work-Study, provide specific data on the Texas WORKS program.

Designation of a liaison officer

HB 3808 requires institutions of higher education to designate at least one employee of the institution to act as a liaison officer for current or incoming students at the institution. The liaison officer shall provide students with comprehensive information regarding support services and other resources available to students including:

- resources to access medical and behavioral health coverage and services, as well as public benefit programs, including programs related to food security, affordable housing, and housing subsidies;

- public benefit program case management assistance and counseling;
- parenting and child care resources;
- employment assistance;
- student academic success strategies; and
- any other resources developed by the institution to assist students.

An institution may designate the employee required in existing statute for current and incoming students at the institution who were formerly in the conservatorship of the Department of Family and Protective Services to act as the liaison officer. This requirement applies with the 2019-2020 academic year.

Filing of degree plan

The bill changes requirements for the filing of a degree plan. Students enrolled in an associate or bachelor's degree program at an institution of higher education shall file a degree plan with the institution after the 12th class day but before the end of the semester or term immediately following the semester or term in which the student earns a cumulative total of 30 or more semester credit hours for coursework successfully completed. The cumulative total includes transfer courses, international baccalaureate courses, dual credit courses, and any other course for which the institution the student attends has awarded the student college course credit, including course credit awarded by examination. The Coordinating Board is required to engage in negotiated rulemaking with institutions of higher education for the administration of this section. Changes related to the degree plan apply beginning with the 2019-2020 academic year.

Code Reference: Adds Education Code 51.9358, and Subchapter E-1 to Chapter 56. Amends 51.9685(a)(2), 51.9685 (b)(c) and (g), 56.074, 56.078, 56.082, and 130.0104(c). Repeals Education Code 51.9685(c-1) and 56.076(b).

Effective Date: June 14, 2019

Appropriation: HB 3808 authorizes the use of Texas College Work-Study funding to establish and administer the Texas WORKS Program.

THECB Rulemaking: Yes

THECB Reporting Requirement: Yes

Lead THECB Division: College Readiness and Success / Academic Quality and Workforce

HB 4465 **RELATING TO THE STUDENT LOAN PROGRAM ADMINISTERED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AND TO THE REPEAL OF A RELATED BOND PROGRAM**

Author: C. Turner

Sponsor: Bettencourt

HB 4465 amends the current law relating to the student loan program administered by the Coordinating Board. Specifically, the bill aligns the statute with constitutional provisions and current loan program operations.

Code Reference: Amends and repeals various sections of the Education Code
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 16 **RELATING TO A STUDENT LOAN REPAYMENT ASSISTANCE PROGRAM FOR CERTAIN PERSONS WHO AGREE TO EMPLOYMENT AS FULL-TIME PEACE OFFICERS IN THIS STATE**

Author: Hancock

Sponsor: Stucky

SB 16 establishes the Peace Officer Loan Repayment Assistance Program for eligible persons who agree to continued employment as full-time peace officers in this state for a specified period. To be eligible for loan repayment assistance a person must be initially employed as a peace officer on or after September 1, 2019, and submit to the Coordinating Board an initial application for consideration. Additionally, a person must submit verification of full-time employment as a peace officer in this state for at least one year, the person's current employment as a peace officer as of the date of the application, a transcript of the person's postsecondary course work, and a statement of the total amount of principal, accrued interest, fees, and other charges due on all outstanding eligible loans for which the person is applying for repayment assistance.

After initially qualifying for loan repayment assistance, a person may continue to receive assistance for a maximum of five years and up to \$20,000 if continuing eligibility requirements are met. An eligible person may receive loan repayment assistant in an amount equal to the lesser of \$4,000 or 20 percent of the total amount of loan debt annually. The Coordinating Board may establish criteria to determine the amount of available assistance to allocate to eligible persons if in any year the amount of money

available for loan repayment assistance is insufficient to cover all the payments of eligible persons.

The Coordinating Board may solicit and accept gifts, grants, and other donations from any public or private source for the purposes of this loan repayment program. The agency is required to adopt rules for the administration of the program and post information about the loan assistance program on its website.

Code Reference: Adds Education Code Subchapter NN to Chapter 61
Effective Date: September 1, 2019
Appropriation: HB 1 appropriates \$4,233,347 million to the Coordinating Board to enact the provisions of SB 16

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 37 **RELATING TO A PROHIBITION ON THE USE OF STUDENT LOAN DEFAULT OR BREACH OF A STUDENT LOAN REPAYMENT OR SCHOLARSHIP CONTRACT AS A GROUND FOR REFUSAL TO GRANT OR RENEW AN OCCUPATIONAL LICENSE OR OTHER DISCIPLINARY ACTION IN RELATION TO AN OCCUPATIONAL LICENSE**

Author: Zaffirini

Sponsor: Krause

SB 37 eliminates state agencies' authority to deny, revoke, suspend, or fail to renew a professional license due to the licensee or applicant being in default on a student loan.

Code Reference: Amends Occupations Code, Chapter 56
Amends Finance Code 157.015(f) and (g), 180.055(d), and
Government Code 466.155(a) and (g)
Repeals Education Code 57.491, Government Code 82.022(c) and
154.110(e), and Occupations Code 56.001(1), 56.002, 56.004, 56.005,
and 56.006
Effective Date: June 7, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 1474 **RELATING TO PRIVATE ACTIVITY BONDS**

Author: Lucio

Sponsor: Murphy

SB 1474 amends existing statute regarding the allocation, project limitations and timing of the state's Private Activity Bonds that fund the Coordinating Board's loan program. Under SB 1474, the issuer's per-project amount is increased and the overall project limit is indexed in proportion to the state ceiling, which means the agency secured the necessary capacity to fund demand in the loan programs for the foreseeable future. The bill also provides greater efficiency by removing unnecessary interest payments. The bill also increases the number of days to close to allow more time to close on a bond sale.

Code Reference: Amends various sections of Government Code, Chapter 1372

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Financial Services

SB 1504 **RELATING TO THE ABOLITION OF THE B-ON-TIME STUDENT LOAN ACCOUNT AND THE ALLOCATION OF FUNDS REMAINING IN THAT ACCOUNT**

Author: Zaffirini

Sponsor: Thierry

SB 1504 extends the date on which the Texas B-On-Time student loan account is abolished to September 1, 2024. An eligible institution that receives an appropriation from the account, may use the money only to support efforts to increase the number of at-risk students who graduate or the rate at which at-risk students graduate from the institution. The bill defines an at-risk student as an undergraduate student who has previously received a grant under the federal Pell Grant program, or met the Expected Family Contribution criterion for a grant under that program, or whose total score on the SAT or the ACT, excluding the optional essay test, is less than the national mean of students' scores on the applicable test.

Code Reference: Amends Education Code 56.0092(d) and (f)

 Adds Education Code 56.0092(e-1)

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 1680 **RELATING TO THE APPROVAL OF CERTAIN PRIVATE OR INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION TO PARTICIPATE IN THE TUITION EQUALIZATION GRANT PROGRAM**

Author: West

Sponsor: Rose

SB 1680 allows Paul Quinn College to remain eligible to participate in the Tuition Equalization Grant Program.

Code Reference: Adds Education Code 61.222(d)
Effective Date: June 4, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 1757 **RELATING TO STUDENT LOAN REPAYMENT ASSISTANCE UNDER THE MATH AND SCIENCE SCHOLARS LOAN REPAYMENT PROGRAM**

Author: Creighton

Sponsor: Frullo

SB 1757 revises requirements for participation in the Math and Science Scholars Loan Repayment Program. The GPA requirement for graduates of mathematics or science degree programs is changed from 3.5 to 3.0. Additionally, the requirement that qualifying applicants enter into an agreement that extends the teaching requirement for four additional years at any school after teaching in a Title I school is changed. Instead, the bill authorizes the Coordinating Board to determine how many additional years of teaching in a Texas public school, up to four years, should be part of the teaching agreement. The bill authorizes repayment of any student loan that is for education at a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

Code Reference: Amends Education Code 61.9832(a) and (c), 61.9835(a)
Adds 61.9832(c-1)
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking:	Yes
THECB Reporting Requirement:	No
Lead THECB Division:	Financial Services

INSTITUTIONAL GOVERNANCE

HB 826 **RELATING TO THE CREATION OF THE UNIVERSITY OF HOUSTON COLLEGE OF MEDICINE AT THE UNIVERSITY OF HOUSTON**

Author: Zerwas

Sponsor: Huffman

HB 826 amends the Education Code to establish the University of Houston College of Medicine (COM) and include the COM in several sections relevant to health-related institutions. It defines the COM as part of the University of Houston System under the management and control of the University of Houston Board of Regents, with degrees offered under the name and authority of the University of Houston. It authorizes the Board of Regents to prescribe courses leading to the customary degrees and allows for the adoption of rules as necessary for conducting a college of medicine of the first class. The Board of Regents can solicit, accept, and administer gifts and grants from any public or private source for the use and benefit of the college and may enter into agreements with public or private entities for additional facilities used in the college's teaching and research programs, including a teaching hospital. However, such a hospital may not be constructed, maintained, or operated with state funds.

The legislation also adds the COM to existing sections of code that deal with medical malpractice coverage for certain institutions, medical professional liability funds, limitations on appropriated funds, the definition of a "medical or dental unit," and participants in the Permanent Health Fund.

Code Reference: Adds Subchapter K to Education Code Chapter 111; Amends Education Code Sections 59.01, 59.02, 59.06, 61.003(5), 61.501(1), 63.002(c)

Effective Date: May 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 2709 **RELATING TO AUTHORIZATION FOR THE SALE OF CERTAIN TEXAS TECH UNIVERSITY PROPERTY**

Author: Frullo

Sponsor: Perry

HB 2709 removes language from statute that states that the Texas Tech Board of Regents may not sell any of the original main campus of Texas Tech University in Lubbock without an act of the Legislature. It also removes a section authorizing an exception to the previous restriction.

Code Reference: Amends Education Code Section 109.054 and repeals 109.0541
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 2794 **RELATING TO THE ADMINISTRATION OF EMERGENCY MANAGEMENT IN THIS STATE**

Author: Morrison

Sponsor: Kolkhorst

HB 2794 makes changes to the Education and Government Codes to shift governance of the Texas Division of Emergency Management from the Department of Public Safety to the Texas A&M University System. The bill also changes the appointment of the chief of the division to be made directly by the governor.

Code Reference: Amends Education Code Sections 61.003(6) and 88.001, and
 Government Code Sections 418.013(b), 418.041 and 418.050(c)
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

HB 2867 **RELATING TO THE CREATION OF THE SAM HOUSTON STATE UNIVERSITY COLLEGE OF
OSTEOPATHIC MEDICINE**

Author: Metcalf

Sponsor: Creighton

HB 2867 creates the Sam Houston State University (SHSU) College of Osteopathic Medicine as an entity under the management and control of the Texas State University System's Board of Regents. The college is authorized to offer courses leading to the Doctor of Osteopathic Medicine (DO) degree, to enter affiliation or coordinating agreements with other entities or institutions, to enter into agreements for the use of additional facilities for teaching or research, and to operate a teaching hospital (except that the hospital may not be constructed, maintained, or operated with state funds). The legislation states that the College of Osteopathic Medicine is not entitled to receive state formula funding.

HB 2867 also adds the SHSU College of Osteopathic Medicine to existing statutes related to definitions and programs affecting Texas medical schools, including the Joint Admissions Medical Program's Council, participation in medical malpractice self-insurance funds, definitions of "medical or dental unit" and "medical school," and eligibility to receive funding from the state's Tobacco Settlement Fund.

Code Reference: Adds Education Code Section 96.66, amends Education Code Sections 51.921, 58.002, 59.02(a) and (c), 61.003, 61.501, 63.002

Effective Date: May 29, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 2963 **RELATING TO THE CONVEYANCE OF CERTAIN STATE FOREST LAND IN CHEROKEE
COUNTY UNDER THE CONTROL OF THE BOARD OF REGENTS OF THE TEXAS A&M
UNIVERSITY SYSTEM**

Author: Clardy

Sponsor: Nichols

HB 2963 permits the Texas A&M University System Board of Regents to convey a specific parcel of real property. The conveyance will be of fee title to the surface and is exclusive of all mineral rights.

Code Reference: None
Effective Date: May 29, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

P-16 INITIATIVES

HB 3

RELATING TO PUBLIC SCHOOL FINANCE AND PUBLIC EDUCATION

Author: Huberty

Sponsor: Taylor

HB 3 makes major revisions to public school finance formulas and provisions of the education code regarding P-12 education. While this summary focuses on provisions of the legislation that are most directly related to higher education, the TEA has extensive summary materials regarding the impact of the bill on public education available at: <https://tea.texas.gov/HB3/>.

HB 3 requires boards of school districts and open-enrollment charter schools to adopt college, career and military readiness plans. These plans must set specific annual college, career and military readiness performance goals for each campus for five years. Goals are adopted for all students, as well as for disaggregated student groups. School district boards must monitor progress towards the goals at least annually and must post plans online and available to the public.

The legislation also creates a College, Career and Military Readiness (CCMR) Outcomes Bonus, which will provide school districts with additional funding for each annual CCMR graduate beyond a threshold to be determined by the Commissioner of Education. The legislation allows for a higher bonus for those graduates who are identified as educationally disadvantaged.

HB 3 establishes that a school district is entitled to be reimbursed by the state, for fees paid for each of its students to take one college readiness assessment (SAT, ACT, or Texas Success Initiative Assessment) before graduation as well as at least one industry certification examination.

The legislation requires that high school students complete and submit a Federal Application for Federal Student Aid or Texas Application for State Financial Aid prior to graduation. The bill allows a student's parent or guardian, or an emancipated student him or herself, to opt out of the requirement by submitting a signed form. A counselor also may authorize the student to decline this requirement if he or she determines that good cause exists to do so.

Code Reference: Additions and amendments throughout the Education Code
Effective Date: September 1, 2019; except Article 2 and Sections 1.026, 1.029, and 5.010 take effect immediately; Sections 1.001, 1.010, 1.065, 1A.008, 3.053, 3.057, and 3.080 take effect January 1, 2020; and Sections

1.004(b), 1.014, 1A.001-1A.007, and 2.011 take effect September 1, 2020.

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: Yes

Lead THECB Division: College Readiness and Success

HB 1051 **RELATING TO AN ADULT EDUCATION PROGRAM PROVIDED UNDER AN ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY CERTIFICATION CHARTER SCHOOL PROGRAM**

Author: VanDeaver

Sponsor: Watson

HB 1051 removes the "pilot" status for the adult high school diploma and industry certification charter school program. The bill makes certain reporting and structural changes to make the administration of the program easier for TEA.

Code Reference: Amends Education Code Sections 12.137(a), 29.081(d), 29.259, 39.053, 42.003(a)

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: College Readiness and Success

HB 1244 **RELATING TO THE UNITED STATES HISTORY END-OF-COURSE ASSESSMENT INSTRUMENT**

Author: Ashby

Sponsor: Campbell

HB 1244 requires that the United States history end-of-course assessment instrument include 10 questions randomly selected from the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process. Any questions must align with the essential knowledge and skills adopted for the United States history course. The TEA is required to report annually regarding student performance on the questions.

This requirement applies beginning with students who enter the ninth grade during the 2019-2020 school year.

Code Reference: Amends Education Code Section 39.023
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: College Readiness and Success

HB 1891 **RELATING TO AN EXEMPTION FROM THE ASSESSMENT REQUIREMENTS OF THE TEXAS SUCCESS INITIATIVE FOR STUDENTS WHO ACHIEVE CERTAIN SCORES ON CERTAIN HIGH SCHOOL EQUIVALENCY EXAMINATIONS**

Author: Stucky

Sponsor: Powell

HB 1891 states that a student who has achieved a sufficient score (as determined by the Coordinating Board) on a high school equivalency examination is exempt from the requirement to show college readiness on an assessment under the Texas Success Initiative. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid. This applies beginning with the assessment of entering undergraduate students at public institutions of higher education for the 2020 fall semester.

Code Reference: Amends Education Code Section 51.338
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: College Readiness and Success

HB 3011 **RELATING TO REQUIRING THE TEXAS HIGHER EDUCATION COORDINATING BOARD TO PROVIDE TO A SCHOOL DISTRICT CERTAIN INFORMATION USED IN DETERMINING ACADEMIC ACCOUNTABILITY RATINGS FOR THE DISTRICT**

Author: C. Turner

Sponsor: Powell

HB 3011 directs the Coordinating Board to provide each school district with a copy of all source data submitted by intuitions of higher education and used to determine the

district's accreditation status or performance rating of the district. Data must be provided prior to the initial release of academic accountability ratings for a school year.

Code Reference: Adds Education Code Section 39.059
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

SB 213 **RELATING TO THE USE OF INDIVIDUAL GRADUATION COMMITTEES AND OTHER
ALTERNATIVE METHODS TO SATISFY CERTAIN PUBLIC HIGH SCHOOL GRADUATION
REQUIREMENTS**

Author: Seliger

Sponsor: Huberty

Individual Graduation Committees (IGCs) allow students who are juniors or seniors and fail to pass one or two end-of-course examinations currently required for high school graduation to receive consideration by an IGC. SB 213 extends the sunset date for IGCs to 2023.

Code Reference: Amends Education Code 12.104(b-2) and (b-3), 28.025(c-6),
28.0258(l), 28.0259(e), 28.02591(a), and 39.025(a-3)
Effective Date: This Act takes effect immediately, except Section 3 takes effect
September 1, 2019.
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: Yes
Lead THECB Division: Strategic Planning and Funding

SB 232 **RELATING TO PARENTAL NOTIFICATION BY A SCHOOL DISTRICT REGARDING HIGH
SCHOOL GRADUATION REQUIREMENTS**

Author: Menéndez

Sponsor: Bernal

SB 232 requires school districts to notify parents or guardians of each student enrolled in ninth grade or above that the student is not required to complete an Algebra II course under the Foundation School Program. School districts also are required to

include in the notification the potential consequences of not taking Algebra II, including the impact on eligibility for automatic college admission into Texas public universities and certain financial aid opportunities. The changes made by this bill apply beginning with the 2019-2020 school year.

Code Reference: Adds Education Code 28.02123

Effective Date: June 14, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: College Readiness and Success

STUDENT INFORMATION

HB 449 **RELATING TO A REQUIREMENT THAT A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION INCLUDE A NOTATION ON A STUDENT'S TRANSCRIPT UNDER CERTAIN CIRCUMSTANCES**

Author: C. Turner

Sponsor: Watson

HB 449 provides that if a former student is determined to be ineligible to reenroll in a postsecondary educational institution for a reason other than an academic or financial reason, the institution must include a notation to that effect on the student's transcript. A "postsecondary educational institution" is defined as either a public institution of higher education or a private or independent institution of higher education.

The bill requires that, should a student withdraw during a disciplinary proceeding that could result in he or she being found ineligible to reenroll for reasons other than academic or financial, the institution must continue to process the charges to a final determination. If the final determination results in the student being ineligible to reenroll for reason other than academic or financial, then the institution must place the ineligibility to reenroll on the student's transcript.

A student may request the removal of the transcript notation. The removal may occur if the student becomes eligible to reenroll or the institution deems good cause exists to remove the notation.

The Coordinating Board is required to adopt rules as soon as practicable using negotiated rulemaking procedures under Chapter 2008, Government Code.

Code Reference: Adds Education Code Section 51.9364

Effective Date: June 10, 2019

Appropriation: None

THECB Rulemaking: Yes

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 1702 **RELATING TO SERVICES PROVIDED FOR STUDENTS AT PUBLIC INSTITUTIONS OF
HIGHER EDUCATION WHO ARE OR WERE IN FOSTER CARE**

Author: Howard

Sponsor: Hancock

HB 1702 makes several changes to existing statutes regarding higher education liaison officers who assist foster care students. The bill broadens the language to include both students who are currently or were formerly in foster care and requires the institution (to the extent allowed under state and federal law) to identify these students to the liaison officer. The liaison officer is permitted to participate in any training that will enable the officer to carry out his or her duties and to coordinate with other liaison officers. It also requires the institution to publicize through the institution's website, social media, electronic mail, and other means of communication both the name and contact information of the liaison officer as well as support services and other resources available to current and former foster care students.

Code Reference: Amends Education Code Section 51.9356

Effective Date: May 29, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

VETERANS' BENEFITS

HB 114 **RELATING TO PROVIDING PUBLIC HIGH SCHOOL STUDENTS INFORMATION REGARDING THE AVAILABILITY OF COLLEGE CREDIT AWARDED FOR MILITARY EXPERIENCE, EDUCATION, AND TRAINING OBTAINED DURING MILITARY SERVICE.**

Author: White

Sponsor: Birdwell

HB 114 requires high school counselors to provide information to all students and their parents or guardians regarding the availability of college credit awarded by institutions of higher education to veterans and military service members for military experience, education, and training obtained during military service. The Texas Workforce Commission, in cooperation with the Coordinating Board, is directed to develop and annually make available materials regarding the availability of college credit awarded for military experience, education, and training beginning with the 2020-2021 school year. These materials are to be made available to all school districts and open-enrollment charter schools that offer high school programs no later than September 1, 2020.

Code Reference: Adds Education Code Section 33.007(b-2) and Labor Code Section 302.0031(h)

Effective Date: May 16, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 3601 **RELATING TO THE RECOGNITION BY THE THECB OF COMPETENCY-BASED EDUCATION DEGREE PLANS FOR MEMBERS OF THE TEXAS MILITARY FORCES**

Author: Bell

Sponsor: Menéndez

HB 3601 allows the Coordinating Board to approve an institution of higher education to offer a degree in coordination with the Texas Military Department that uses alternative methods of determining mastery of program content, including competency-based education.

To be eligible for such degree program, a person must:

- have graduated from high school or received the equivalent of a high school diploma; and
- satisfy the minimum active military service obligation to the Texas military forces for a degree plan as follows:
 - for an associate degree, two years of service;
 - for a baccalaureate degree, four years of service; and
 - for a graduate degree, six years of service and complete the standards of the degree plan.

The Coordinating Board may adopt rules to establish the requirements for the program, including requirements for demonstrating proof of a person's subject matter knowledge after verification by the Texas Military Department of the person's training and experience.

Code Reference: Education Code 61.0521
 Effective Date: September 1, 2019,
 Appropriation: None

THECB Rulemaking: Yes
 THECB Reporting Requirement: No
 Lead THECB Division: Academic Quality and Workforce

WORKFORCE TRAINING INITIATIVES

HB 700 **RELATING TO THE USE OF THE SKILLS DEVELOPMENT FUND BY CERTAIN ENTITIES AND A STUDY AND REPORT REGARDING THE EFFECTIVENESS OF THAT FUND**

Author: Guillen

Sponsor: Powell

HB 700 amends the Texas Labor Code to add local workforce development boards as entities authorized to participate in and receive Skill Development Funds. It also makes a technical correction regarding statutory references to the Texas A&M Extension Center.

It also requires the Texas Workforce Commission to conduct a study on and develop recommendations for increasing the effectiveness of the Skills Development Fund. The recommendations must include strategies for better achieving the fund's purposes, improving outcomes, and expanding participation in the opportunities available through the fund. The findings and recommendations are due to the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the legislative committees with appropriate jurisdiction by December 1, 2020.

Code Reference: Amends Labor Code Sections 303.001(a) and 303.002(b)

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

HB 2784 **RELATING TO THE CREATION OF THE TEXAS INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAMS GRANT PROGRAM**

Author: Phelan

Sponsor: Alvarado

HB 2784 creates the Texas Industry-Recognized Apprenticeship Programs Grant Program to address the immediate industrial workforce needs of the state, as impacted by Hurricane Harvey and overall workforce shortages. The Texas Workforce Commission (TWC) is charged with establishing and administering the program to encourage private-sector development of specialized industry-recognized apprenticeship programs in Texas for the industrial workforce and to award grants to eligible persons or entities.

TWC is to establish eligibility criteria for a person or entity to receive a grant, but the criteria must include requirements that the person or entity apply in the form and manner required by the TWC and be in good standing under relevant laws of the state. The grantee must operate an industry-recognized apprenticeship program that provides on-the-job training in an industry-recognized, accredited training program, guarantees employment during and following the training, and pays a wage and provides eligibility for employee benefits during and upon successful completion of the training.

Code Reference: Adds Subchapter I to Labor Code Chapter 302

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Academic Quality and Workforce

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HB 3511 **RELATING TO THE CREATION OF THE COMMISSION ON TEXAS WORKFORCE OF THE FUTURE**

Author: VanDeaver

Sponsor: Alvarado

HB 3511 would have created the Texas Workforce of the Future Commission to engage business, state agencies, and local workforce system partners in the efforts of state and local authorities to build the state's workforce talent pipeline.

HCR 133 **RELATING TO A DIVINITY PROGRAM OR A SCHOOL OF RELIGION AT TEXAS SOUTHERN UNIVERSITY**

Author: Dutton

Sponsor: West

HCR 133 would have directed the Coordinating Board to conduct a study on the creation of a divinity program at Texas Southern University.

SB 1793 **RELATING TO PURCHASING AND CONTRACTING BY GOVERNMENTAL ENTITIES; AUTHORIZING FEES**

Author: Zaffirini

Sponsor: Longoria

SB 1793 would have made various statutory changes relating to purchasing and contracting by governmental entities. The bill proposed changes related to reciprocity, Texas Multiple Award Schedule contracts, nepotism disclosures for state agency attorneys, and travel services.

MISCELLANEOUS

HB 1101 **RELATING TO THE NAME OF THE SOUTHWEST COLLEGIATE INSTITUTE FOR THE DEAF**

Author: Darby

Sponsor: Seliger

HB 1101 renames the Southwest Collegiate Institute for the Deaf to the Southwest College for the Deaf. Conforming changes are made throughout the Education Code to reflect the new name.

Code Reference: Amends Education Code Chapter 131 and Sections 51.911(a)(1), 51.925(b), 54.364(a)(5); amends Natural Resources Code 31.001(8)
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: Yes
THECB Reporting Requirement: No
Lead THECB Division: Academic Quality and Workforce

SB 241 **RELATING TO CERTAIN REQUIRED REPORTS RECEIVED OR PREPARED BY STATE AGENCIES AND OTHER GOVERNMENTAL ENTITIES**

Author: Nelson

Sponsor: Longoria

SB 241 streamlines state agency reporting requirements by repealing obsolete or redundant reports and removing recipients who no longer need to receive reports. Specific to higher education, reporting requirements relating to faculty academic workloads, intellectual property policies, assistance to colonias, and the assessment of Family Practice Residency Training pilot programs are eliminated effective September 1, 2019.

Code Reference: Adds Education Code 28.02123
Effective Date: June 14, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: College Readiness and Success

SB 440**RELATING TO A SUIT AGAINST THE UNIVERSITY OF TEXAS AT TYLER***Author:* Hughes*Sponsor:* Schaefer

Senate Bill 440 amends the Education Code to remove the statutory authorization for The University of Texas at Tyler to be sued and to clarify that the provision establishing venue for a suit against the university may not be construed as granting legislative consent for a suit against the board of regents or the university except as authorized by law.

Code Reference: Amends Education Code 76.04

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: General Counsel

SB 709**RELATING TO THE ALLOCATION AND USE OF THE ANNUAL CONSTITUTIONAL
APPROPRIATION TO CERTAIN AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION***Author:* West*Sponsor:* Frullo

SB 709 updates the annual amounts allocated to certain institutions of higher education eligible for the Higher Education Fund (HEF). Among other provisions, the bill does the following:

- removes the requirement that a governing board participating in such distribution of funds receive prior approval from the Legislature or approval, review, or endorsement, as applicable, from the Coordinating Board to expend the funds for new construction, for land acquisition projects, and for major repair and rehabilitation projects in excess of \$600,000;
- includes the purchase or contract for certain cloud computing services or other intangible assets among the purposes for which amounts allocated under the formula may be spent by an institution's governing board; and
- includes Texas State Technical College-Fort Bend and Texas State Technical College-North Texas among the component campuses of the Texas State Technical College system to which amounts are allocated under the equitable allocation formula.

Code Reference: Amends Education Code 62.021(a)(a-1)(b) and (c)
Adds Education Code 62.021(a-3)
Repeals Education Code 62.021(a-2) and (f)
Effective Date: August 31, 2019
Appropriation: \$787.5 million included in HB 1 for HEF for FY20-21 biennium

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Strategic Planning and Funding

SB 1017 **RELATING TO THE CREATION OF THE ADVISORY COUNCIL ON POSTSECONDARY
EDUCATION FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES**

Author: Powell

Sponsor: Guerra

SB 1017 requires the Coordinating Board, with the assistance of an advisory council, to periodically review the policies and practices that increase access to higher education opportunities for persons with intellectual and developmental disabilities and distribute educational outreach materials developed by the council to increase awareness regarding postsecondary opportunities for this population.

The advisory council shall meet at least quarterly and shall submit an annual report to the Coordinating Board. Not later than December 1 of each even-numbered year, the advisory council shall provide to the Coordinating Board, the governor, the lieutenant governor, speaker of the House of Representatives, and the Legislature a report with specific data on persons with intellectual and developmental disabilities and recommendations to support success and achievement of this student group.

Code Reference: Amends Education Code 61.0663(b)
Adds Education Code 61.06641
Effective Date: June 10, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: Yes
Lead THECB Division: College Readiness and Success

STATE AGENCY CONTRACTS AND REPORTING

SB 65 **RELATING TO OVERSIGHT OF AND REQUIREMENTS APPLICABLE TO STATE AGENCY CONTRACTING AND PROCUREMENT**

Author: Nelson

Sponsor: Geren

SB 65 revises oversight of state agency contracting and procurement processes. General agency contract requirements are as follows:

- mandates that an electronic contract solicitation document be retained in the document's electronic form;
- mandates the State Auditor's Office to assign a rating to each of the 25 largest state agencies to determine if enhanced contract monitoring is needed and report its ranking to the Comptroller of Public Accounts (CPA);
- mandates agency's procurement director's written certification that all processes and evaluation documents for each vendor's solicitation response were reviewed prior to contract award;
- mandates that the agency's procurement director or their designee to review and certify to the appropriateness of each written justification for any change of a vendor's initial evaluation score;
- mandates that an agency provide written justification for an award to a vendor other than the highest ranked vendor according to evaluation scoring; and
- mandates that each agency include in each contract file a CPA or similar agency developed checklist verifying the agency's compliance with all state procurement laws and rules.

The bill also increases the threshold from \$1million to \$5 million to be classified as a Major Information Resources Project (MIRP) and expands the duties of the Quality Assurance Team (QAT) for MIRPs including:

- recommending policies and procedures to improve the development, implementation, and return on investment for state agency information resources technology projects;
- reviewing a state agency's business case prepared for a major information resources project under law and making recommendations to improve implementation of the project;
- providing recommendations on the final negotiated terms of a contract for the development or implementation of a major information resources project with a value of at least \$10 million; and
- mandates QAT biannual reporting to the Governor, Lieutenant governor, House Speaker, and presiding officers of certain legislative committees

The bill also increases agency's reporting requirements for contracts exceeding \$5M and prohibits contract extensions without agency reporting prior performance results. For major consulting service contracts, the bill switches postings from the Texas Register to the electronic State Business Daily and mandates specific compliance requirements for all major consulting contracts, even those reclassified as such as a result of an amendment, renewal or extension.

Code Reference: Adds and amends various sections of the Government Code
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: General Counsel

SB 68 **RELATING TO STRATEGIC FISCAL REVIEWS OF STATE AGENCIES AND PROGRAMS**

Author: Nelson

Sponsor: Schaefer

SB 68 requires the Legislative Budget Board (LBB) to perform a strategic fiscal review for each state agency currently under Sunset Advisory Commission review under the Texas Sunset Act, except for certain river authorities that are not subject to the legislative appropriations process. The bill requires the LBB to prepare and submit a report of findings from the review to the governor and to the presiding officers and members of the appropriate committees of each house of the Legislature for consideration as part of that appropriations process.

Code Reference: Adds Government Code 322.0175
Effective Date: June 7, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Financial Services

SB 1370 **RELATING TO INVOICES AND PAYMENTS UNDER CERTAIN STATE CONTRACTS FOR OUTSIDE LEGAL SERVICES**

Author: Nichols

Sponsor: Ashby

SB 1370 amends the Government Code relating to attorney general review of outside legal services contracts. Specifically, the bill adds a timeline for agencies to submit invoices to the attorney general for review and adds language requiring the attorney general to determine whether the legal services with the invoice are within the terms and scope of the legal services authorized by the contract. The bill also establishes that a payment under a contract for legal services provided by outside counsel is overdue on the 46th day after the date a state agency receives an invoice for the services.

Code Reference: Amends Government Code 402.0212(b), 2251.021(a)
 Adds Government Code 402.0212(b-1) (b-2) and (b-3), 2251.021(b-1)

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: General Counsel

STATE AGENCY INFORMATION TECHNOLOGY

HB 3875 **RELATING TO CLOUD COMPATIBILITY OF CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PURCHASES**

Author: Capriglione

Sponsor: Zaffirini

HB 3875 requires state agencies, when purchasing an automated information system or undertaking a major information resources project, to ensure the solution or service is capable of being deployed and run on cloud computing services.

Code Reference: Amends Government Code 2157.007

Effective Date: September 1, 2019

Appropriation: None

THECB Rulemaking: No

THECB Reporting Requirement: No

Lead THECB Division: Information Solutions and Services

SB 64 **RELATING TO CYBERSECURITY FOR INFORMATION RESOURCES**

Author: Nelson

Sponsor: Phelan

SB 64 requires the Coordinating Board to collaborate with the Department of Information Resources (DIR) to identify and develop strategies to incentivize institutions of higher education to develop degree programs in cybersecurity. The Coordinating Board is required to submit a written report detailing the strategies identified to the lieutenant governor, the speaker of the House of Representatives, the presiding officer of each legislative standing committee with primary jurisdiction over higher education, and each governing board of an institution of higher education by September 1, 2020.

The Coordinating Board and DIR also shall coordinate with lower-division institutions of higher education and entities that administer or award postsecondary industry certifications in cybersecurity to develop certificate programs or other courses of instruction leading to those certifications or credentials.

SB 64 allows a state agency to spend public funds to reimburse a state agency employee or administrator who serves in an information technology, cybersecurity, or other cyber-related position for fees associated with industry-recognized certification examinations. State agencies are required to consider using next generation technologies, including cryptocurrency, blockchain technology, and artificial intelligence.

The DIR is directed to establish an information sharing and analysis organization to provide a forum for state agencies, local governments, public and private institutions of higher education, and the private sector to share information regarding cybersecurity threats, best practices, and remediation strategies. For the purpose of receiving funding, the DIR shall collaborate with state agencies to submit to the LBB a report that prioritizes cybersecurity projects and projects to modernize or replace legacy systems.

Code Reference: Adds and amends various sections of the Education, Government, and Occupations Code
Effective Date: September 1, 2019
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: Yes
Lead THECB Division: Academic Quality and Workforce

SB 819 **RELATING TO STATE AGENCY ELECTRONIC INFORMATION AND PROCESSES**

Author: Nelson

Sponsor: Phelan

SB 819 requires the DIR to employ a chief data officer and to establish a digital transformation guide. The guide shall assist state agencies with modernizing agency operations and services with respect to electronic data and converting agency information into electronic data. The DIR also is directed to establish the Texas Open Data Portal, a central repository of publicly accessible electronic data as the official open data Internet website for the state. The DIR shall grant state agencies and political subdivisions of the state shared access to the repository. Each state agency shall designate an information resources manager. A state agency shall consider cloud computing service options and compatibility with cloud computing services in the development of new information technology software applications.

Code Reference: Amends Government Code 2054.0286, 2054.071, and 2157.007(b)
Adds Government Code 2054.069, 2054.070
Effective Date: September 1, 2019,
Appropriation: None

THECB Rulemaking: No
THECB Reporting Requirement: No
Lead THECB Division: Information Solutions and Services

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FOR MORE INFORMATION:

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<http://www.thecb.state.tx.us/Legislative>