

SUBJECT: Allowing the establishment of a law school in the Rio Grande Valley

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 9 ayes — Murphy, Pacheco, Cortez, Frullo, Muñoz, Ortega, Raney, C. Turner, J. Turner

0 nays

2 absent — P. King, Parker

WITNESSES: For — (*Registered, but did not testify*: Thomas Parkinson)

Against — None

DIGEST: HB 695 would enable the governing board of a university system to establish and operate a school of law in either Cameron County or Hidalgo County, as the board considered appropriate.

The governing board could:

- in administering the law school, prescribe courses leading to customary degrees at leading American law schools and award those degrees;
- assign responsibility for the law school's management to a general academic teaching institution in the university system; and
- accept and administer gifts and grants from any public or private entity for the use and benefit of the law school.

The governing board of a university system that intended to establish a law school under the bill's provisions would be required to notify the Texas Higher Education Coordinating Board (THECB). If multiple governing boards submitted notification to the coordinating board, THECB would have to determine which governing board could establish the law school. This determination would have to be based on:

- the need for a law school in a geographic area;
- potential student demand;
- available system resources;
- feasibility of each system's specific proposal; and
- other criteria THECB considered appropriate.

Before a governing board could establish a law school under the bill, the board would have to request that THECB prepare a feasibility study to determine the actions the system would have to take to obtain accreditation for the law school. THECB would have to deliver a copy of the study to the governing board and to the chair of each legislative standing committee with jurisdiction over higher education.

The establishment of the law school would be subject to available funding, either through appropriation or from other sources. No state funds could be appropriated for the law school before August 31, 2027.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS
SAY:**

HB 695 would allow the establishment of a law school that would enhance educational equity and opportunity in the Rio Grande Valley by providing much-needed professional degree opportunities. Prospective law students from the Valley currently face the heavy burden of traveling hundreds of miles away from home in order to attend the nearest existing law school, and the region has far fewer attorneys per resident than the statewide average. Advanced professional degree opportunities are generally lacking in the area, and allowing for a law school to be established in the region would help to address this lack. A law school also would include a legal clinic where law students could work on local cases under attorney supervision, which would benefit the wider community, especially lower-income residents.

The bill would not mandate the establishment of a law school but would simply allow an existing university system to open a law school in the

region if there was student demand and funding available to do so.

**CRITICS
SAY:**

The establishment of a public law school as allowed by HB 695 would increase the scope and cost of government. Any market demand for a law school in the Rio Grande Valley could be better met by a private institution.

NOTES:

According to the Legislative Budget Board, the bill would have no fiscal impact through the biennium ending August 31, 2023, but there would be substantial costs related to the establishment of the law school beginning in fiscal year 2028, when state funding would become available.