

BILL ANALYSIS

Senate Research Center

H.B. 2415
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Education
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Engrossed

DIGEST

In 1995, the 74th Legislature statutorily designated community college services areas. These areas define the geographic boundaries in which a community college district is authorized to provide post-secondary education services. Each of the state's 50 community college districts has a designated service area. In most cases, the service area extends beyond the boundaries of the college's taxing district. In the event that a college is delivering services beyond its taxing district, the college is authorized to establish an extension center or branch campus of the college beyond the taxing district. H.B. 2415 would establish protection for colleges that construct extension centers or branch campuses by requiring a new district established at such a location to compensate the college district that constructed the facility for their investment.

PURPOSE

As proposed, H.B. 2415 sets forth regulations to protect and compensate junior colleges, district branch campuses, centers, or extension facilities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 130.086, Education Code, by amending Subsections (a), (c), (d), and (f), and by adding Subsections (g) and (h), as follows:

(a) Authorizes the board of trustees of a junior college district to establish and operate branch campuses, centers, or extension facilities within the junior college district's service area, subject to the prior and continuing approval of the Texas Higher Education Coordinating Board (coordinating board), rather than the Texas College and University System. Deletes text regarding the geographical bounds of the junior college district.

(c) Makes conforming changes.

(d) Requires any course to be offered by a public junior college within the service area, rather than district, of another operating public junior college, to be established that the second public junior college is not capable of or is unable to offer the course. Deletes text regarding courses offered in certain counties. Makes conforming changes.

(f) Provides that the service area of a junior college district does not include territory within the boundaries of the taxing district of another junior college district, notwithstanding Subchapter J. Requires the junior college district operating the campus, center, or facility to discontinue the campus, center, or facility within a reasonable period, not to exceed one academic year, if a branch campus, center, or extension facility operated by a junior college district outside its taxing district becomes located within the taxing district of another junior college district when the other district is established or annexes the territory that includes the campus, center, or facility. Requires the junior college district in which the campus, center, or facility is located to fairly compensate the junior college district that discontinues the campus, center, or facility for any capital improvements that the discontinuing district acquired or constructed for the campus, center, or facility, to the extent the discontinuing district is otherwise unable to recover the current value of its investment in that capital improvement, as determined by the coordinating board. Deletes text requiring the

coordinating board to review out of district branch campuses, centers, or extension facilities of junior colleges.

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

(h) Provides that this section does not affect the authority of the coordinating board regarding the continued operation of a branch campus, center, or extension facility.

SECTION 2. Amends Section 130.087(k), Education Code, to authorize the proceeds of the junior college district branch campus maintenance tax to be used only to operate and maintain a junior college district branch campus and to support its programs and services in the area of a jurisdiction that levies a junior college district branch campus maintenance tax to operate, maintain, and support the same junior college district branch campus. Deletes text regarding the junior college district branch campus maintenance tax. Makes a conforming change.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.