

## **BILL ANALYSIS**

Senate Research Center  
77R10420 PAM-F

H.B. 1011  
By: Swinford (Bivins)  
Education  
4/27/2001  
Engrossed

### **DIGEST AND PURPOSE**

The 74th Legislature transferred the operation of the Texas State Technical College Amarillo Campus (campus) to Amarillo College (college). This transfer was an effort to reduce the cost to the State of Texas incurred in providing the training offered by the campus to the residents of the Texas Panhandle. Originally, the intent of the legislature was to transfer the ownership of the campus to the college. Because of uncertainty regarding the necessity and liability of environmental cleanup on the system campus, the decision was made to lease the system facility to the college. Ownership of the system campus could allow the college to pursue additional innovative long-term partnerships on the campus with local entities and businesses that may not be possible under the current lease. H.B. 1011 requires the board of regents of the Texas State Technical College System to enter into an agreement with the board of regents of Amarillo College for the transfer of the system's Amarillo campus to the college.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. DEFINITIONS. Defines "college" and "system."

SECTION 2. TRANSFER. (a) Requires that, not later than September 1, 2002, the board of regents of the Texas State Technical College System (system) enter into an agreement with the board of regents of Amarillo College for the consideration described by Subsection (b) of this section to transfer to the board of regents of Amarillo College (college):

- (1) the governance, operation, management, and control of the Texas State Technical College System's campus located in the city of Amarillo in Potter County as further described by Section 5 of this Act; and
- (2) all right, title, and interest in the land, buildings, facilities, improvements, equipment, supplies, and property comprising or located on that campus.

(b) Requires consideration for the transfer required by Subsection (a) of this section to be in the form of an agreement between the system and the college that requires the college to use the property in a manner that primarily promotes a public purpose of the state. Provides that if the college at any time fails to use the property in that manner, ownership of the property automatically reverts to the system.

(c) Requires the system to transfer the property by an appropriate instrument of transfer. Requires the instrument to include a certain provision.

(d) Provides that the transfer required by this section is subject to Sections 3-5 of this Act.

SECTION 3. POWERS AND DUTIES. Requires the board of regents of the college to govern,

operate, manage, and control the campus and all land, buildings, facilities, improvements, equipment, supplies, and property comprising or located on the campus pursuant to the powers, duties, and responsibilities conferred by law on the board of regents of the college for the management and control of the college.

SECTION 4. REAL PROPERTY LEASES. Provides that real property leases entered into by the board of regents of the system for and on behalf of the campus are ratified, confirmed, and validated. Provides that in those real property leases, the board of regents of the college is substituted for and stands and acts in the place of the board of regents of the system. Provides that the board of regents of the college is substituted for the board of regents of the system on the date the instrument of transfer required by Section 2(c) of this Act takes effect.

SECTION 5. REAL PROPERTY DESCRIPTION. Sets forth the real property description.

SECTION 6. EFFECTIVE DATE. Effective date: upon passage or September 1, 2001.