

BILL ANALYSIS

Senate Research Center
77R10420 PAM-F

C.S.S.B. 1722
By: Bivins
Education
3/29/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

In 1970, the legislature created an additional campus of the Texas State Technical College (TSTC) at Amarillo, and that campus operated as part of the TSTC system until 1995. Since 1995, TSTC has not been administering any programs at the Amarillo campus. Amarillo College has been using the land, facilities, and other property through a leasing agreement. However, TSTC has maintained ownership of the property and control of the programs has never been transferred. C.S.S.B. 1722 requires the board of regents of the two institutions to enter into an agreement to transfer the governance, operation, management, and control of the campus, and all rights, title, and interest in the land, buildings, facilities, improvements, equipment, supplies, and property comprising or located on the campus. The bill also sets guidelines for the instrument of transfer that the two institutions must enter into and specifies that all real property leases are transferred to Amarillo College from TSTC.

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

- (1) 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) to be in a certain form.

(c) Requires the system to transfer all property by an appropriate instrument of transfer. Requires the instrument to include a specific provision regarding the use of the property.

(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. Sets forth provisions relating to real property leases entered into by the board of regents of the system.

SECTION 5. REAL PROPERTY DESCRIPTION. Sets forth the description of the land referenced in SECTION 2 (a)(1) of this Act.

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

SUMMARY OF COMMITTEE CHANGES

Differs from original in SECTION 2, Subdivisions (3) and (4), by making nonsubstantive changes to specify that references to other subdivisions are subdivisions of Subsection (c).

Differs from original in SECTION 5 by being less specific when describing the real property to be transferred to Amarillo College.