

## BILL ANALYSIS

Senate Research Center  
79S30143 JRD-D

H.B. 63  
By: Pitts (Williams)  
Finance  
5/12/2006  
Engrossed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In August and September 2005, Hurricanes Katrina and Rita battered the Gulf Coast causing significant property damage. Among the Texas public institutions most impacted by these storms, Lamar University and its related institutions suffered extensive damage. H.B. 63 appropriates funds to the Texas State University System to cover the costs associated with damage caused by those storms, and sets forth requirements for the disposition of hurricane-related federal funds.

### 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. DEFINITION. Defines "Lamar University or its related institutions."

SECTION 2. APPROPRIATION. (a) Appropriates out of the general revenue fund, in addition to other appropriated amounts that may be used for this purpose, the amount of \$34 million to the Texas State University System for the two-year period beginning on the effective date of this Act for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita and suffered by Lamar University or its related institutions.

(b) Requires the Texas State University System to distribute the money appropriated by Subsection (a) of this section to Lamar University and its related institutions, allocating the money among Lamar University and its related institutions as the system considers appropriate to address the hurricane-related needs of those institutions.

(c) Provides that the legislature finds that damages to property caused by the hurricanes were caused by a natural disaster, for purposes of Subsection (j)(1), Section 17, Article VII, Texas Constitution.

SECTION 3. FEDERAL MONEY. (a) Provides that to the extent that amounts, other than amounts described by Subsection (c), received from the federal government by or on behalf of Lamar University or its related institutions for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita do not exceed in the aggregate the amount appropriated by Section 2 of this Act, the amounts received from the federal government are required to be deposited in the state treasury to the credit of the general revenue fund as undedicated general revenue. Provides that Section 51.008, Education Code, does not apply to the amounts received. Provides that the amounts received are not appropriated to the Texas State University System or to Lamar University or any of its related institutions under this Act, under Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), or under any other Act of the 79th Legislature in the Regular Session or the 1st or 2nd Called Session.

(b) Provides that to the extent that amounts, other than amounts described by Subsection (c), received from the federal government by or on behalf of Lamar University or its related institutions for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita

exceed in the aggregate the amount appropriated by Section 2 of this Act, the amounts received from the federal government in excess of the amount appropriated by Section 2 of this Act are required to be deposited in the state treasury to the credit of the appropriate fund or account and are appropriated to the Texas State University System for those purposes for the two-year period beginning on the effective date of this Act for distribution to Lamar University and its related institutions, with the university system allocating the money among Lamar University and its related institutions as the system considers appropriate to address the hurricane-related needs of those institutions, and subject to any federal conditions or requirements that attach to receipt or use of the money.

(c) Authorizes amounts received from the federal government by or on behalf of Lamar University or its related institutions, notwithstanding Subsections (a) and (b) of this section, for the purpose of paying for or reimbursing payments for costs associated with damages or disruptions caused by Hurricane Katrina or Hurricane Rita, regardless of the amount, to be kept outside the state treasury as institutional funds of Lamar University or a related institution, as appropriate, and to be spent in accordance with the law governing those funds, to the extent the amounts received from the federal government are clearly intended to reimburse Lamar University or a related institution for payments for specific described costs, other than costs to cover a loss described by Subsection (j)(1), Section 17, Article VII, Texas Constitution, that the university or a related institution paid with institutional funds, to pay the cost of repairing described damages that may not under law be paid using general revenue, or to pay costs related to disruptions of any activities that may not under law be paid using general revenue.

SECTION 4. Effective date: upon passage or the 91st day after adjournment.