

BILL ANALYSIS

Senate Research Center

H.B. 350
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a school district may not enter into an agreement authorizing the use of school district resources for the design, construction, or renovation of improvements to real property not owned or leased by the district. However, some school districts and public universities have expressed an interest in jointly building athletic facilities. This would allow them to share the costs of construction of a facility they could both use.

H.B. 350 allows independent school districts to contribute district resources to pay a portion of the costs of the design or construction of an instructional facility, stadium, or other athletic facilities owned by or under control of the institution of higher education.

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. Amends Section 11.168, Education Code, as follows:

Sec. 11.168. **USE OF DISTRICT RESOURCES PROHIBITED FOR CERTAIN PURPOSES.** Prohibits the board of trustees of a school district from entering into an agreement authorizing the use of school district employees, property, or resources for the provision of materials or labor for the design, construction, or renovation of improvements to real property not owned or leased by the district, except as provided by Section 45.109(a-1). Makes a nonsubstantive change.

SECTION 2. Amends Section 45.109, Education Code, by adding Subsection (a-1), as follows:

(a-1) Authorizes an independent school district (district) and an institution of higher education, as defined by Section 61.003 (Definitions), located wholly or partially in the boundaries of the county in which the district is located to contract for the district to contribute district resources to pay a portion of the costs of the design or construction of an instructional facility or a stadium or other athletic facilities owned by or under the control of the institution of higher education. Authorizes a district to contribute district resources under this subsection only if the district and the institution of higher education enter into a written agreement authorizing the district to use that facility.

SECTION 3. Effective date: upon passage or September 1, 2009.