

BILL ANALYSIS

Senate Research Center
81R10657 KEL-D

S.B. 2045
By: Williams
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

On September 1, 1995, The Lamar Institute of Technology (LIT) was established as a separate state agency and as an educational center of Lamar University, a member of the Texas State University System. LIT received separate regional accreditation status from the Southern Association of Colleges and Schools on December 4, 2000.

In previous years, the allocation for LIT from Higher Education Funds (HEF) has been calculated in conjunction with that of Lamar University because of the language in statute naming LIT as an "educational center" of Lamar. As a result, LIT's funding is not calculated separately because the Texas Higher Education Coordinating Board's HEF Committee determined that LIT is not eligible due to it not being a "named" institution of higher education as defined by Section 17(b), Article VII, Texas Constitution, nor is it named as a separate institution in the Education Code.

As proposed, S.B. 2045 requires the comptroller of public accounts to distribute to LIT in accordance with the allocation formula described by Section 62.021(a), Education Code, a portion of constitutionally dedicated funds, otherwise allocated under Section 62.021(a), Education Code.

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 62.021, Education Code, by adding Subsection (a-1), as follows:

(a-1) Requires the comptroller of public accounts (comptroller), notwithstanding Subsection (a) (relating to an eligible institution being entitled to an allocation), for each year remaining in the 10-year allocation period established under Section 17(d) (relating to the legislature or an agency allocating annual appropriations), Article VII (Education), Texas Constitution, that ends in 2015, to distribute to the Lamar Institute of Technology (LIT) in accordance with the allocation formula described by Subsection (a) a portion of the total annual appropriation under Section 17(a) (relating to appropriations being used by entities for land acquisition), Article VII, Texas Constitution, otherwise allocated under Subsection (a). Requires the comptroller to adjust the distributions made to other eligible institutions under the equitable formula as necessary to reflect the inclusion of LIT in the agencies and institutions participating in the allocation of the annual appropriation under Section 17(a), Article VII, Texas Constitution. Provides that this subsection expires January 1, 2016.

SECTION 2. Effective date: January 1, 2010, contingent upon approval by the voters of the constitutional amendment relating allowing LIT to participate in the allocation of certain constitutionally dedicated funds for capital improvements at agencies and institutions of higher education. Makes application of this Act prospective.