

## **BILL ANALYSIS**

Senate Research Center

S.B. 956  
By: West, Shapiro  
Education  
8/4/2009  
Enrolled

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

The Dallas-Fort Worth area is the fifth largest Standard Metropolitan Statistical Area (SMSA) in the United States and the only SMSA that does not have a public law school. Texas' population has increased from 14.3 million to 22.5 million with no additional law schools being added, limiting the opportunities for Texans to attain an affordable legal education in Texas. With the continuing growth of the Dallas-Fort Worth region, the need for legal knowledge is increasing. Currently, Dallas must import 30 percent of its attorneys from out-of-state law schools.

S.B. 956 authorizes the board of regents of the University of North Texas System to establish and operate a school of law in Dallas as a professional school of the University of North Texas System for five years and as a professional school of the University of North Texas at Dallas after that period and provides the conditions under which it is to be funded.

### **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 105.001, Education Code, as follows:

Sec. 105.001 UNIVERSITY OF NORTH TEXAS SYSTEM. Provides that the University of North Texas System (system) is composed of certain educational institutions, including the University of North Texas at Dallas College of Law. Makes a nonsubstantive change.

SECTION 2. Amends Section 105.151, Education Code, by adding Subsection (c-1) and amending Subsection (d), as follows:

(c-1) Provides that a venue for a suit filed solely against the University of North Texas at Dallas College of Law or against officers or employees of the University of North Texas College at Dallas of Law is in Dallas County.

(d) Provides that Subsection (a), (b), (c), or (c-1) controls in case of a conflict between Subsection (a), (b), (c), or (c-1) and any other law.

SECTION 3. Amends Subchapter J, Chapter 105, Education Code, by adding Section 105.502, as follows:

Sec. 105.502. UNIVERSITY OF NORTH TEXAS SYSTEM COLLEGE OF LAW. (a) Authorizes the board of regents of the University of North Texas System (board) to establish and operate a school of law in the city of Dallas as a professional school of the system.

(b) Authorizes the board, in administering the law school, to prescribe courses leading to customary degrees offered at other leading American schools of law and to award those degrees.

(c) Requires the board, until the University of North Texas at Dallas (UNT-Dallas) has been administered as a general academic teaching institution for five years, to administer the law school as a professional school of the system. Requires that the law school, after that period, become a professional school of UNT-Dallas. Provides that until the law school becomes a professional school of UNT-Dallas, the law school is considered an institution of higher education under Section 61.003 (Definitions) for all purposes under other law; and is entitled to formula funding as if the law school were a professional school of a general academic teaching institution.

(d) Requires the Texas Higher Education Coordinating Board (THECB), before the board establishes a law school under this section, but not later than June 1, 2010, to prepare a feasibility study to determine the actions the system is required to take to obtain accreditation of the law school. Requires THECB to deliver a copy of the study to the chair of each legislative standing committee or subcommittee with jurisdiction over higher education.

(e) Authorizes the board to solicit and accept gifts, grants, and donations from any public or private source for the purposes of this section.

SECTION 4. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.0665, as follows:

Sec. 61.0665. STUDY REGARDING ESTABLISHMENT OF LAW SCHOOLS. (a) Requires THECB to conduct a study to examine the need for and feasibility of establishing a public law school in areas of the state where a law school is not located, including the Texas-Mexico border region. Requires that the study be conducted using the same criteria used for determining the need for and feasibility of establishing the University of North Texas at Dallas College of Law.

(b) Requires THECB, not later than November 1, 2010, to report the results of the study required by Subsection (a) to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each legislative standing committee with primary jurisdiction over higher education.

(c) Provides that this section expires January 31, 2011.

SECTION 5. Provides that if the Act receives a vote of at least two-thirds of the membership of each house of the legislature, the University of North Texas at Dallas College of Law created under Section 105.502, Education Code, as added by this Act, is entitled to participate in the funding provided by Section 17 (Colleges and Universities; Appropriations and Funding), Article VII (Education), Texas Constitution.

SECTION 6. Provides that this Act does not make an appropriation. Provides that this Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.

SECTION 7. Effective date: upon passage or September 1, 2009.