82nd Texas Legislature

Session Summary



Texas Association of Community Colleges

82nd Texas Legislature: Session Summary

Table of Contents

Appropriations	1-12
Formula Funds	1-4
Group Health Insurance (HEGI)	5
Retirement (TRS/ORP)	6
Other Appropriated Funds	6-9
Summary of SB 1	10
Selected Riders and Special Provisions from SB 1	11-12
Community and Technical College Legislation	13-16
HB 9 (Branch)	
HB 1206 (Guillen)	
HB 1244 (Castro)	
HB 3025 (Branch)	
SB 100 (Van de Putte)	
SB 162 (Shapiro)	
SB 419 (West)	
SB 1107 (Davis)	
SB 1226 (Hegar)	
· · · · · · · · · · · · · · · · · · ·	
Other Key Bills	17-20
Vetoed Bills	21
vetoeu biiis	
Other Higher Education Bills	22-25
Bills That Did Not Pass	26

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HB 1, The General Appropriations Act

By Representative Pitts Senate Sponsor: Senator Ogden

The 82nd Texas Legislature passed HB 1, the General Appropriations Act, which provides funding for the 2012-13 biennium. All funds for the entire state budget total \$172.3 billion from all fund sources, a decrease of \$15.2 billion (8.1%) below the 2010-11 biennium. General revenue funds, including funds dedicated within the General Revenue Fund, for the entire state budget total \$86.9 billion for the 2012-13 biennium, a decrease of \$1.6 billion (1.8%) compared to the 2010-11 biennium.

Community College Appropriations - Instructional Formula Funds (Art. III)

	2010-11	2012-13	\$ change
Instructional Formula Funds	1,844,345,259	1,736,677,990	-107,667,269
Instructional Funds	1,823,083,918	1,732,177,990	-90,905,928
Small Institution Supplement	6,000,000	4,500,000	-1,500,000
Hold Harmless Funds	15,261,341	0	-15,261,341

- HB 1, as introduced in the House, funded 46 of the 50 districts, provided \$1.697 billion in instructional funds, funded Group Health Insurance (HEGI) at \$75/employee/month, and funded employee retirement (ERS/ORP) at 6% of unrestricted general revenue.
- HB 1, as introduced in the Senate, funded 50 of the 50 districts, provided \$1.645 billion in instructional funds, funded Group Health Insurance (HEGI) at approximately 50 percent of total ERS costs of eligible employees, and funded employee retirement (ERS/ORP) at 6% of unrestricted general revenue.
- The HB 1 conference committee added funds to the instructional formula. These additional funds brought the instructional formula total to the approximate amount in the formula *after* the mid-biennium cuts (\$1.74 billion).
- Total instructional formula funds decreased 5.8% from the amount originally appropriated for 2010-11. Detail of instructional funds by college is provided on the next page (page 2).
- No funds were provided for the unprecedented enrollment growth in community colleges. The base year contact hours for the 2012-13 biennium increased 20.4 percent from the 2010-11 biennium; the largest increase in contact hours during the formula era (1974 to present).
- The annual appropriation per contact hour for 2012-13 is \$2.78 compared to a \$3.56 ratio in 2010-11; a 21.8 percent decrease. (*Note: TACC is now reporting annual appropriation/contact hour ratios rather than a biannual ratio.*)
- The instructional formula funds appropriation of \$1.73 billion represents 36.6 percent of the full formula (cost study) and 49.5 percent of the Coordinating Board's formula recommendation.

Instructional Formula Funds by College District

			differenc	e
College District	2010-11*	2012-13**	\$	%
Alamo	144,268,383	132,030,900	(12,237,483)	-8.5%
Alvin	16,913,417	14,729,178	(2,184,239)	-12.9%
Amarillo	34,306,533	30,579,220	(3,727,313)	-10.9%
Angelina	16,814,429	15,611,249	(1,203,180)	-7.2%
Austin	93,056,816	90,065,459	(2,991,357)	-3.2%
Blinn	46,701,829	40,966,404	(5,735,425)	-12.3%
Brazosport	11,515,769	9,648,314	(1,867,455)	-16.2%
Central Texas	42,365,861	39,650,192	(2,715,669)	-6.4%
Cisco	11,275,060	11,069,796	(205,264)	-1.8%
Clarendon	5,345,122	5,106,363	(238,759)	-4.5%
Coastal Bend	13,632,017	12,986,749	(645,269)	-4.7%
College of the Mainland	12,714,124	12,038,692	(675,432)	-5.3%
Collin	63,668,815	60,045,696	(3,623,119)	-5.7%
Dallas	195,988,176	179,910,759	(16,077,417)	-8.2%
Del Mar	37,317,354	33,175,896	(4,141,458)	-11.1%
El Paso	67,298,344	62,040,184	(5,258,160)	-7.8%
Frank Phillips	5,689,840	4,113,843	(1,575,998)	-27.7%
Galveston	9,458,699	6,731,978	(2,726,721)	-28.8%
Grayson	14,881,232	15,162,835	281,603	1.9%
Hill	13,811,538	13,384,659	(426,879)	-3.1%
Houston	140,674,225	140,653,008	(21,217)	0.0%
Howard	17,621,741	16,054,149	(1,567,592)	-8.9%
Kilgore				-0.5%
Kiigore Laredo	25,139,214	22,497,382	(2,641,833)	
	25,279,799	21,786,535	(3,493,264)	-13.8%
Lee	20,569,400	18,661,396	(1,908,004)	-9.3%
Lone Star	123,231,678	126,470,829	3,239,150	2.6%
McLennan	28,175,326	27,791,808	(383,518)	-1.4%
Midland	19,456,889	16,956,088	(2,500,802)	-12.9%
Navarro	30,316,596	31,219,873	903,278	3.0%
North Central Texas	21,019,757	19,170,263	(1,849,494)	-8.8%
Northeast Texas	8,464,014	8,571,157	107,143	1.3%
Odessa	16,947,527	13,522,798	(3,424,729)	-20.2%
Panola	7,652,198	6,767,894	(884,304)	-11.6%
Paris	18,544,813	17,803,686	(741,128)	-4.0%
Ranger	4,179,620	4,423,337	243,717	5.8%
San Jacinto	77,766,992	72,201,351	(5,565,641)	-7.2%
South Plains	30,220,079	27,209,741	(3,010,339)	-10.0%
South Texas	60,474,788	63,770,669	3,295,882	5.5%
Southwest Texas	15,409,063	14,613,935	(795,128)	-5.2%
Tarrant	105,940,741	103,507,598	(2,433,143)	-2.3%
Temple	16,550,179	15,641,382	(908,797)	-5.5%
Texarkana	18,603,391	15,365,882	(3,237,510)	-17.4%
Texas Southmost	27,965,642	22,765,006	(5,200,636)	-18.6%
Trinity Valley	23,875,681	22,276,018	(1,599,663)	-6.7%
Гyler	36,315,179	34,942,112	(1,373,067)	-3.8%
Vernon	11,793,707	11,699,859	(93,847)	-0.8%
Victoria	13,632,174	11,764,104	(1,868,070)	-13.7%
Weatherford	16,468,261	15,349,016	(1,119,245)	-6.8%
Western Texas	8,023,494	7,125,333	(898,162)	-11.2%
Wharton	17,009,733	17,047,416	37,683	0.2%
TOTAL	1,844,345,259	1,736,677,990	(107,667,269)	-5.8%

^{*}prior to cuts, includes Small Institution Supplement & Hold Harmless

^{**}includes Small Institution Supplement

Base Year Contact Hours by College District

	base ye	ear	differenc	e
College District	2010-11	2012-13	#	%
Alamo	20,764,942	24,051,268	3,286,326	15.8%
Alvin	2,215,871	2,577,674	361,803	16.3%
Amarillo	4,529,823	5,240,042	710,219	15.7%
Angelina	2,178,410	2,699,871	521,461	23.9%
Austin	13,436,414	16,562,594	3,126,180	23.3%
Blinn	6,878,985	7,605,626	726,641	10.6%
Brazosport	1,458,761	1,752,796	294,035	20.2%
Central Texas	5,995,532	7,180,266	1,184,734	19.8%
Cisco	1,600,211	1,984,350	384,139	24.0%
Clarendon	637,330	827,346	190,016	29.8%
Coastal Bend	1,845,314	2,166,135	320,821	17.4%
College of the Mainland	1,721,740	2,148,090	426,350	24.8%
Collin	9,242,515	11,125,777	1,883,262	20.4%
Dallas	28,009,138	32,634,406	4,625,268	16.5%
Del Mar	5,068,308	5,700,315	632,007	12.5%
El Paso	9,747,312	11,407,071	1,659,759	17.0%
Frank Phillips	690,666	656,850	(33,816)	-4.9%
Galveston	933,909	1,144,266	210,357	22.5%
Grayson	2,067,754	2,631,791	564,037	27.3%
Hill	1,962,059	2,413,120	451,061	23.0%
Houston	20,392,956	25,890,022	5,497,066	27.0%
Howard	2,314,374	2,803,851	489,477	21.1%
Kilgore	3,494,266	3,936,105	441,839	12.6%
Laredo	3,392,694	3,889,603	496,909	14.6%
Lee	2,815,368	3,257,753	442,385	15.7%
Lone Star	17,718,451	23,111,797	5,393,346	30.4%
McLennan	3,943,261	4,895,891	952,630	24.2%
Midland	2,618,438	2,973,630	355,192	13.6%
Navarro	4,301,515	5,642,639	1,341,124	31.2%
North Central Texas	3,039,821	3,494,817	454,996	15.0%
Northeast Texas	1,173,763	1,504,610	330,847	28.2%
Odessa	2,137,696	2,364,901	227,205	10.6%
Panola	1,018,653	1,148,533	129,880	12.8%
Paris	2,465,730	3,157,709	691,979	28.1%
Ranger	419,089	710,069	290,980	69.4%
San Jacinto	10,887,189	12,783,041	1,895,852	17.4%
South Plains	4,275,507	4,880,197	604,690	14.1%
South Texas	8,560,304	11,444,350	2,884,046	33.7%
Southwest Texas	2,134,211	2,680,456	546,245	25.6%
Tarrant Temple	15,288,837	19,029,956	3,741,119	24.5%
Texarkana	2,285,854 2,594,643	2,649,032	363,178	15.9%
Texarkana Texas Southmost		2,671,701	77,058	3.0%
	3,635,841	4,072,708	436,867	12.0%
Trinity Valley	3,314,210	3,929,905	615,695	18.6%
Tyler	5,106,379	6,069,385	963,006	18.9%
Vernon	1,496,074	1,938,913	442,839	29.6%
Victoria	1,788,150	1,998,290	210,140	11.8%
Weatherford	2,177,732	2,654,575	476,843	21.9%
Western Texas	1,146,642	1,225,365	78,723	6.9%
Wharton	2,428,439	2,971,443	543,004	22.4%
TOTAL	259,351,081	312,290,901	52,939,820	20.4%

Community College Appropriations - BAT Formula Funds (Art. III)

	2010-11	2012-13	\$ change
BAT Formula Funds	978,902	929,958	-48,944
Brazosport	185,532	125,224	-60,308
Midland	130,776	93,044	-37,732
South Texas	662,594	711,690	49,096

Community College Appropriations - Small Institution Supplement (Art. III)

In order to receive the small institution supplement in the 2012-13 biennium, the Legislature adopted the following methodology for distributing the \$4.5 million appropriation:

An institution must meet the following three criteria:

- 1) Maintenance and Operations tax rate above the community college median.
- 2) Tax revenue yield per contact below the community college median.
- 3) Annual contact hours below the community college median.

(Legislative Budget Board)

	2010-11	2012-13	\$ change
Small Institution Supplement	6,000,000	4,500,000	-1,500,000
Clarendon	898,817	500,000	-398,817
Coastal Bend	0	500,000	500,000
Frank Phillips	746,210	500,000	-246,210
Galveston	191,316	0	-191,316
Howard	1,074,206	500,000	-574,206
Panola	133,713	0	-133,713
Paris	1,081,625	0	-1,081,625
Ranger	1,043,560	500,000	-543,560
Temple	0	500,000	500,000
Vernon	756,620	500,000	-256,620
Western Texas	73,933	500,000	426,067
Wharton	0	500,000	500,000

Community College Appropriations - Group Health Insurance, FY 2012-13 (Art. III)

	2010-11	2012-13	\$ change
Group Health Insurance	323,209,055	198,398,280	-124,810,775

- In the initial appropriations bill, the House appropriated \$57.1 million for community college group health insurance (\$266 million less than 2010-11 appropriation). The basis for the House appropriation was a methodology which treated community colleges like public school districts; \$75 per employee per month.
- In the Senate version of the initial appropriations bill, \$\$198.4 million was appropriated for community college group health insurance; this appropriation was based on the ERS method for determining the cost of health insurance.
- Led by Representative Jimmie Don Aycock (R-Killeen), HB 1 was amended on the floor of the House to restore the health benefits to the Senate level. The floor amendment was adopted without opposition.
- Funding Level: According to the Legislative Budget Board, the level of funding for group health insurance (HEGI) for 2012-13 is 41.7%. For the last four biennia, HEGI for community colleges was appropriated at 83.5% (FY 2010-11) 90% (FY 2008-09), 97.5% (FY 2006-07), and 90% (2004-05).

HEGI Appropriation by College

	2010-11	2012-13		2010-11	2012-13
Alamo	24,178,729	16,046,818	Lone Star	17,484,108	11,470,161
Alvin	3,036,423	1,835,884	McLennan	5,342,999	3,308,516
Amarillo	7,219,635	4,280,965	Midland	4,151,259	2,350,120
Angelina	2,564,890	1,675,512	Navarro	2,496,354	1,857,711
Austin	16,063,086	10,274,171	N. Central Texas	2,998,706	1,817,502
Blinn	6,351,399	4,028,381	Northeast Texas	1,566,350	920,400
Brazosport	2,766,063	1,697,441	Odessa	3,908,283	2,308,324
Central Texas	5,482,414	3,239,866	Panola	1,792,402	1,032,417
Cisco	1,872,548	1,063,259	Paris	2,575,804	1,533,909
Clarendon	861,630	572,525	Ranger	738,448	450,899
Coastal Bend	2,463,935	1,686,925	San Jacinto	13,563,681	8,767,428
сом	5,006,072	2,512,605	South Plains	6,863,342	3,993,171
Collin	8,001,915	4,940,930	South Texas	8,618,567	5,992,434
Dallas	30,555,127	19,018,546	Southwest Texas	2,748,387	1,787,922
Del Mar	8,627,725	4,859,607	Tarrant	19,243,092	13,506,777
El Paso	12,223,680	7,644,166	Temple	2,808,019	1,690,087
Frank Phillips	1,159,353	642,185	Texarkana	3,283,330	1,937,498
Galveston	1,747,253	972,373	Texas Southmost	4,890,559	3,065,832
Grayson	2,900,444	1,689,356	Trinity Valley	3,296,439	2,202,235
Hill	1,988,214	1,259,796	Tyler	6,459,033	4,097,933
Houston	20,827,589	15,716,695	Vernon	2,036,046	1,240,714
Howard	3,200,268	1,860,744	Victoria	2,966,972	1,730,773
Kilgore	4,441,097	2,607,492	Weatherford	2,742,605	1,797,489
Laredo	6,437,089	3,915,044	Western Texas	1,572,639	922,221
Lee	4,244,268	2,446,798	Wharton	3,570,891	2,127,721

Community College Appropriations - Retirement (Article III)

	2010-11	2012-13	\$ change
TRS/ORP Retirement	202,515,672	104,873,325	-97,642,347

- A new standard for determining the retirement appropriation was applied in HB 1. In the past, community colleges were treated like all other state employees and the retirement contribution was based on a percentage of employee compensation. The retirement appropriation in HB 1 was determined by taking a percentage of unrestricted General Revenue.
- TRS Retirement: 6 percent of General Revenue in FY 2012; 6.4 percent of General Revenue in FY 2013.
- ORP Retirement: 6 percent of General Revenue in FY 2012 and FY 2013.

Community College Appropriations - Financial Aid (from THECB Section of Article III)

	2010-11	2012-13	\$ change
TX Educational Opportunity Grant	24,000,000	24,061,600	61,600
Texas Grant	615,000,000	559,537,824	-55,462,176
B-on-Time	140,000,000	31,408,000	-108,592,000

Community College Appropriations - Nursing (from THECB Section of Article III)

- Total appropriation for Nursing (all sectors of higher education) is \$30.0 million for 2012-13.
- THECB Rider #37 Professional Nursing Shortage Reduction Program

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy D.1.12, as follows:

- (a) Up to 5 percent each year may be used for administrative expenses.
- (b) In each fiscal year \$4,933,500 shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing student graduating. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.3808 and 51.3817. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.
- (c) \$6,885,000 in fiscal year 2012 and \$6,885,000 in fiscal year 2013 shall be distributed at a rate of \$10,000 per year for each additional nursing student enrolled in a professional nursing program to institutions with professional nursing programs based on the following criteria: (1) a graduation rate of 70% or above as reflected in the final 2010 graduation rates reported by the THECB and (2) an increase in new enrollees for fiscal year 2012 equal to 12 percent and 18 percent in fiscal year 2013 of the first-year enrollments for the 2009-10 academic year as reported by the institutions to the Texas Center for Nursing Workforce Studies.
- (d) THECB shall allocate any remaining appropriation, estimated to be \$3,181,500 in fiscal year 2012 and \$3,181,500 in fiscal year 2013 to (1) professional nursing programs with nursing graduation rates below 70 percent as reflected in the final 2010 graduation rates reported by the THECB, (2) hospital-based diploma programs, or (3) new professional nursing programs whose graduation rates which have not been determined by the THECB. From funds available for that purpose, institutions shall receive \$20,000 for each additional initial RN graduate in two year programs and \$10,000 for each additional graduate in one-year programs. If sufficient funds are not

available to provide this allocation, the HECB shall submit a plan to the Legislative Budget Board and to the Governor outlining a method of proration. THECB shall develop an application process for institutions willing to increase the number of nursing graduates. The application shall indicate the number of nursing graduates for initial licensure the institution will produce; indicate the number of payments and payment schedule; identify benchmarks an institution must meet to receive payment; and specify the consequences of failing to meet the benchmarks.

(e) Any funds not expended in fiscal year 2012 may be expended in fiscal year 2013 for the same purposes. If an institution does not meet targets for purposes of subsections b, c and d, the institution shall return these unearned funds to the THECB by August 31 of each fiscal year. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.

Community College Appropriations - Adult Basic Education (from THECB Section of Article III)

	2010-11	2012-13	\$ change
Adult Basic Education	10,000,000	4,000,000	-6,000,000

THECB Rider #40: Adult Basic Education Community College Grants

Out of funds appropriated above in Strategy, E.1.7, ABE Community College Grants, \$2,000,000 in general revenue for fiscal year 2012 and \$2,000,000 in general revenue for fiscal year 2013 shall be used for the purpose of awarding competitive grants to community colleges and public technical institutions to increase participation in adult basic education. Any balances as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

Community College Appropriations - Developmental Education (from THECB Section of Article III)

	2010-11	2012-13	\$ change
Developmental Education	5,000,000	4,000,000	-1,000,000

Public Community Colleges, Rider #20: Developmental Education Intervention Formulas.

It is the intent of the Legislature that during fiscal years 2012 and 2013 the Texas Higher Education Coordinating Board use the funds appropriated by this act to be in a position to implement funding formula recommendations on a weighted contact hour basis, under Sec. 61.059, Education Code, for semester length and non- semester length developmental education interventions (including course-based, non-course based, alternative-entry/exit, modules, paired courses, and competency based courses, and other intensive developmental education activities) based on existing developmental education cost studies, ongoing research studies, and survey data.

THECB, Rider #34: Funding for Non-Semester-Length Developmental Education.

Institutions shall analyze the fiscal and instructional impacts on student outcomes for both semester-length and non-semester-length developmental education interventions (including course-based, non-course based, alternative-entry/exit, and other intensive developmental education activities). The institutions shall prepare a report to the Higher Education Coordinating Board no later than June 1, 2012. The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of

student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

Out of funds appropriated above, the Board shall analyze and compare all institution reports to determine the most effective and efficient combination of developmental education interventions and make recommendations to the Legislative Budget Board and the Governor before January 1, 2013.

THECB, Rider #41: Intent Concerning Developmental Education Interventions. It is the intent of the Legislature that developmental education will be offered and conducted to address specific student developmental needs by non semester length developmental education interventions rather than semester length developmental education coursework beginning September 1, 2012.

THECB, Rider #7: Texas Success Initiative.

- a. Developmental Education Coursework. Funds appropriated for developmental courses under Education Code § 51.3062, shall be expended only for those costs associated with providing developmental education courses including instruction, tutorial, evaluation, retraining of faculty, and other related costs. The funds shall not be used for the recruitment of students.
- b. Intent Concerning Developmental Needs. It is the intent of the Legislature that all affected institutions of public higher education fully address developmental needs identified by the institutions through the Texas Success Initiative with appropriations made in this Act for the developmental education coursework and other available institutional funds.

THECB, Rider #52: Developmental Education. Funds appropriated above in Strategy E.1.1, Developmental Education Program, \$2,000,000 in general revenue for fiscal year 2012 and \$2,000,000 in general revenue for fiscal year 2013 shall be used for the purpose of implementing and supporting demonstration projects at community colleges and public technical institutions. The programs would use technology and diagnostic assessments to determine students' needs and college readiness and use educational methods, including non-course based, that would improve developmental education outcomes. Out of funds appropriated to this strategy, the Higher Education Coordinating Board will study the issue of developmental education focusing on researching best practices to implement statewide and submit a report to the Governor, Lieutenant Governor, Speaker of the House of Appropriations, the Chair of the Senate Finance Committee, the Chair of House Appropriations, Senate Committee on Higher Education and House Committee on Higher Education before January 1, 2013. Any balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

Programs Not Funded in HB 1

	2010-11	2012-13	\$ change
Comptroller's JET Grant Program	15,000,000	0	-15,000,000
Alternative Teacher Certification	2,250,000	0	-2,250,000
Dramatic Enrollment Growth	3,518,786	0	-3,518,786
New Campuses	3,500,000	0	-3,500,000

Community College Appropriations - Non-Formula Funds (Art. III)

Non-Formula Items	2010-11	2012-13	\$ change
STARLINK	561,668	400,188	-161,480
Virtual College of Texas	1,000,000	712,500	-287,500
Southwest Institute for the Deaf (Howard)	6,201,847	5,302,579	-899,268
Small Business Development Center (Dallas)	3,303,808	3,303,808	0
Import/Export Center	421,775	322,390	-99,385
Museums	2,729,901	1,731,305	-998,596
Star of Republic (Blinn)	712,496	507,653	-204,843
Heritage Museum/Genealogy Center (Hill)	720,001	513,002	-206,999
American Airpower Heritage (Midland)	1,297,404	710,650	-586,754
TOTAL	14,218,999	11,772,770	-2,446,229

Community College Appropriations - Skills Development Fund and Self-Sufficiency Fund (from TX Workforce Commission Section of Article VII)

	2010-11	2012-13	\$ change
Skills Development Fund	80,986,276	48,541,943	-32,444,333
Self-Sufficiency Fund	6,548,059	5,235,817	-1,312,242

Community College Appropriations - Inmate Education (from Dept. of Criminal Justice Section of Article V)

	2010-11	2012-13	\$ change
Inmate Education	4,665,429	2,727,766	-1,937,663

Summary of HB 1, The General Appropriations Act

By Representative Pitts Senate Sponsor: Senator Ogden

Source of Funds	2010-11	2012-13	\$ change
Instructional Formula Funds	1,844,345,259	1,736,677,990	-107,667,269
BAT Formula Funds	978,902	929,958	-48,944
Group Health Insurance	323,209,055	198,398,280	-124,810,775
Retirement (TRS/ORP)	202,515,672	104,873,325	-97,642,347
Sub-Total	2,371,048,888	2,040,879,553	-330,169,335
Non-Formula Funds	14,218,999	11,772,770	-2,446,229
STARLINK	561,668	400,188	-161,480
Virtual College of Texas	1,000,000	712,500	-287,500
TX Educational Opportunity Grant	24,000,000	24,061,600	61,600
Texas Grant	615,000,000	559,537,824	-55,462,176
Skills Development Fund	80,986,276	48,541,943	-32,444,333
Self-Sufficiency Fund	6,548,059	5,235,817	-1,312,242
Inmate Education	4,665,429	2,727,766	-1,937,663
Nursing Graduates (Total Pool)	49,700,000	30,000,000	-19,700,000
Developmental Education	5,000,000	4,000,000	-1,000,000
Adult Basic Education	10,000,000	4,000,000	-6,000,000
JET Grant Program (Comptroller)	15,000,000	0	-15,000,000
Alternative Teacher Certification	2,250,000	0	-2,250,000
Enrollment Growth	3,518,786	0	-3,518,786
New Campuses	3,500,000	0	-3,500,000
Total	3,205,436,437	2,730,757,273	-474,679,164

Selected Riders/Special Provisions

(from the General Appropriations Act - HB 1)

Community College Rider #2. Administration of Appropriated Funds (p. III-187). Funds appropriated above shall be administered by the Texas Higher Education Coordinating Board. To ensure the efficient allocation of state appropriations, the Coordinating Board shall reallocate the formula funds appropriated in this bill pattern in the second year of the biennium using certified contact hour data from the previous academic year. The Higher Education Coordinating Board shall exclude contact hours related to physical education courses for students who are registered to receive both high school and college credit from the contact hours used to reallocate formula funds in the second year of the biennium

Coordinating Board Rider #53. System Administration for Community Colleges (p. III-52). Out of the amounts appropriated above, the agency shall allocate an amount not to exceed \$350,000 in General Revenue Funds to hire a national-level consultant who possesses demonstrated and in-depth expertise in higher education governance issues to provide the Legislative Budget Board and the Governor with a blueprint to establish a state system administration for public community colleges by no later than June 1, 2012. The specific criteria for the consultant's final product shall be determined collaboratively by the Legislative Budget Board, Governor and Texas Higher Education Coordinating Board.

Community College Rider #8. Adjustment of Contact Hours (p. III-188). Texas Higher Education Coordinating Board is authorized to review the accuracy of the contact hour data reported to the Coordinating Board by community college districts. In the event of data reporting errors, the Coordinating Board is authorized to adjust the fiscal year's formula appropriations as necessary to reflect the corrected data elements.

Special Provisions Section 33. Funding for Physical Education Courses (p. III-231). No funds appropriated under this act shall be used for contact hours or semester credit hours for students who are registered solely for physical education, weight lifting, group exercises, aerobics, or related courses; have registered for the same such course more than once; and are not seeking a degree plan or certificate of completion of a course of study.

Furthermore, it is the intent of the Legislature that the Higher Education Coordinating Board shall, during fiscal years 2012 and 2013, use the funds appropriated by this act to be in a position to recommend to the 83rd Legislature a funding methodology that excludes semester credit hours related to physical education courses for students who are registered to receive both high school and college credit.

Coordinating Board Rider #33. Dual Credit (p. III-48). Out of funds appropriated above, the Texas Higher Education Coordinating Board, in conjunction with the Texas Education Agency, shall analyze the fiscal and instructional impacts on student outcomes for dual credit courses taken on high school campuses and on community college campuses. The Higher Education Coordinating Board should use new and existing data, performance measures, ongoing research studies, and survey data to evaluate student outcomes for these courses.

The Higher Education Coordinating Board shall analyze and compare all institution reports and student outcomes to determine the most efficient and effective delivery of dual credit courses. The Higher Education Coordinating Board and the Texas Education Agency shall provide the results of the study and make recommendations to the Legislative Budget Board before March 1, 2012.

Coordinating Board Rider #29. Align Adult Basic Education and Postsecondary Education (pp. III-47 - III-48). Out of funds appropriated above, the Higher Education

Coordinating Board shall coordinate with the Texas Education Agency and Texas Workforce Commission to implement an immediate and long-range coordinated action plan to align Adult Basic Education and postsecondary education. For purposes of developing this action plan, the terms adult education and adult basic education (ABE) refer to adults who lack basic skills in reading, writing, math, or English, including students who are studying for a GED Certificate. This group includes adults who speak English as a second or other language and who may also be referred to as (1) English Language Learners (ELLs), (2) Limited English Proficient (LEP), (3) speakers of English as a second language (ESL), or (4) nonnative speakers of English (NNSE). These adult learners may be placed in programs that are referred to as (1) English as as Second Language (ESL), (2) English for speakers of other languages (ESOL), (3) Adult Basic Education/English as a Second Language (ABE/ESL), or another name unique to the institution or program.

To increase the number, success and persistence of students transitioning to postsecondary education, these action plans shall address at a minimum:

- a. outreach and advising;
- b. assessment, curriculum, and instruction;
- c. persistence interventions;
- d. state-level accountability systems to monitor performance;
- e. service-provider-level performance measures and program evaluation;
- f. standards to enhance data quality and sharing among state agencies and serviceproviders;
- g. needs assessment of students and service-providers to identify other structural issues and barriers; and
- h. grants (including Federal Funds and Other Funds) to maximize effective use of limited General Revenue Funds.

To measure the effectiveness of this action plan, the Higher Education Coordinating Board, in coordination with the Texas Education Agency, shall calculate annual performance measures for the: (1) number of adults in need of Adult Basic Education services statewide; (2) number of Adult Basic Education students served, including those served by developmental education, by provider, institution, and statewide; (3) number of students that passed the General Education Diploma test served and not served by TEA; (4) number of Adult Basic Education students exiting the program by provider and statewide; (5) number of Adult Basic Education students exiting the program with a higher education goal by provider and statewide; (6) number of Adult Basic Education students enrolled in higher education by provider, institution, and statewide; and (7) total annual program expenditures by revenue source per provider. The agencies shall prepare a report that summarizes performance, evaluates outcomes, and recommends changes to improve outcomes and the components of the action plan.

For purposes of this rider, the Texas Higher Education Coordinating Board shall be considered the lead agency. The agencies shall also provide recommendations for the coordination and alignment of adult basic education assessments and State College Readiness Standards under Sec. 51.3062. Education Code, for the appropriate student placement in adult basic education or developmental education courses. A progress report shall be submitted on the effectiveness of the action plan to the House Committee on Higher Education, House Appropriations Committee, Senate Education Committee, Senate Finance Committee, the Governor, Texas Workforce Commission, and the Legislative Budget Board by January 31, 2012.

Community and Technical College Legislation

Each of the following community and technical college bills was passed by the 82nd Legislature and signed into law by the governor. The effective date for each bill is noted in the summary.

★ HB 9 by Branch

- Authorizes the Higher Education Coordinating Board to include success-based funding for community colleges and general academic institutions in the agency's biennial formula recommendations.
- The funding recommendations for community colleges would be only for incentive funding not base funding.
- The success measures for community colleges are are listed in statute and include:
 - The successful completion of developmental education in mathematics; developmental education in English; the first collegelevel mathematics course with a grade of "C" or higher; the first college-level English course with a grade of "C" or higher; and the first 30 semester credit hours at the institution.
 - transfer to a four-year college or university after successful completion of at least 15 semester credit hours at the institution.
 - The total number of the following awarded by the institution:
 - Associate's degrees;
 - ► Bachelor's degrees under Section 130.0012 (Baccalaureate Degree Programs); and
 - Certificates identified by THECB for purposes of this section as effective measures of student success.
- The bill also requires a report to be prepared by the Coordinating Board to the Joint Oversight Committee on Higher Education Governance, Excellence, and Transparency by September 30, 2011 that will review, compare, and highlight national and global best practices on:
 - improving student outcomes, including student retention, graduations, and graduation rates; and
 - higher education governance, administration, and transparency.
- Effective Immediately

★ HB 1206 by Guillen

 Requires new members of Community College Boards of Trustees to complete a training program provided by the Higher Education Coordinating Broad within the first two years of assuming office.

• The Coordinating Board must provide the equivalent training program by electronic means which will satisfy the requirement.

• Effective 9/1/2011

★ HB 1244 by Castro

- The bill would require the Coordinating Board to prescribe a single standard or, set of standards, for each assessment instrument designated by the agency to effectively measure student readiness as demonstrated by current research. The bill would prohibit an institution of higher education from adopting more stringent standards, to assess a student's readiness to perform freshman-level academic coursework, than those adopted by the THECB. The bill would also require institutions to offer a student, required to enroll in developmental education coursework, a range of developmental coursework or instructional support that includes the integration of technology to efficiently address the particular developmental needs of the student.
- Effective Immediately

★ HB 3025 by Branch

- Requires students to file a degree plan after completing 45 hours and creates a mechanism for the "reverse transfer," allowing a Community College to award an Associate Degree to a former student now enrolled in a four-year institution.
- Effective Immediately

★ SB 100 by Van de Putte

- Seeks to help implement federal requirements by providing for the electronic transmission of blank ballots for all military and overseas voters and requiring the secretary of state to create a tracking system under which military and overseas voters can determine whether a voted ballot has been received by the early voting clerk. The bill attempts to further facilitate the process for those voters by extending the elections covered to an election in which an office of the federal government appears, an election to fill a vacancy in the legislature, with certain exceptions, or an election held jointly with those elections. The bill also addresses certain election dates and deadlines.
- Included among the provisions of the bill:
 - Requires, with certain exceptions, each general or special election in Texas to be held on the second Saturday in May or the first Tuesday

after the first Monday in November, requires the elections to be held on one of the following dates: the second Saturday in May in an odd-numbered year; the second Saturday in May in an even-numbered year, for an election held by a political subdivision other than a county; or the first Tuesday after the first Monday in November. The bill specifies that a county elections administrator is not required to enter into a contract to furnish election services for an election held on the second Saturday in May in an even-numbered year.

- Removes provisions authorizing the governing body of a political subdivision other than a county, not later than December 31, 2005, to change the date on which it holds its general election to another authorized uniform election date. The bill extends the deadline for the governing body of a political subdivision, other than a county, that holds its general election for officers on a date other than the November uniform election date to change the date on which it holds its general election for officers to the November uniform election date, from not later than December 31, 2010, to not later than December 31, 2012.
- Requires a political subdivision that before September 1, 2011, held its general election for officers on the uniform election date in May or that is required by other law to hold its general election for officers on that date to hold its general election for officers on the first Tuesday in April in an odd-numbered year unless the governing body of the political subdivision changes the date.
- The changes in law made by this bill do not apply to an election held on November 8, 2011. The bill takes effect September 1, 2011.

★ SB 162 by Shapiro

- Requires the Coordinating Board to develop a statewide plan that will focus on Community College delivery of developmental education. The plan will focus on utilizing technology to individualize plans for each student and to reach a greater number of students. The Coordinating Board will also study and develop best practices for successful programs to effectively educate students. The plan will be updated and modified periodically to account for updated educator training and improving programs.
- Effective Immediately

★ SB 419 by West

• Prohibits the state from providing formula funding to Community Colleges for physical education courses offered for dual credit.

Effective Immediately

★ SB 1107 by Davis

- Expands the requirement for students to show proof of vaccination for bacterial meningitis to "entering students" - which includes an expanded definition:
 - A student who previously attended an institution of higher education or private or independent institution of higher education before January 1, 2012, and who is enrolling in the same or another institution of higher education or private or independent institution of higher education following a break in enrollment of at least one fall or spring semester.
- The requirement would not apply to a student of an institution who is enrolled only in online or other distance education courses or who is 30 years of age or older.
- Bill is effective immediately however the provisions of the bill apply to entering students enrolling on, or after, January 1, 2012.

★ SB 1226 by Hegar

- Requires that a ballot for a Community College district annexation election include language regarding the district's taxing authority and current property tax rate. Also requires that the ballot language for a Community College annexation election identify the name of the Community College district attempting to annex territory.
- Effective 9/1/11

★SB 1619 by Duncan

- Amends the Education Code to extend from September 1, 2011, to September 1, 2013, the expiration date of the provision of law exempting a school district from being required to pay a district student's tuition or other associated costs for taking a course for college credit under a college credit program.
- Under a provision of current law, a school district is not required to pay a student's tuition or other associated costs for taking a course that provides college credit under a college credit program. This provision is set to expire on September 1, 2011.
- Effective Immediately

Other Key Bills

Each of the following bills will affect community colleges either directly or indirectly. Each bill was passed by the 82nd Legislature and signed into law by the governor. The effective date for each bill is noted in the summary.

★ HB 33 by Branch

- Requires that not later than 30 days before the start of classes, an institution
 of higher education would be required to provide, on the institution's website
 and with any course schedules provided in hard copy, detailed information
 about each course's textbook requirements, including: retail price; author;
 publisher; copyright date; and International Standard Book Number. The bill
 also places requirements on publishers to provide similar information to
 faculty concerning textbook selections and restricts the bundling of materials
 for sale in a single package.
- Effective 9/1/11

★ HB 736 by Patrick

- Amends several sections of the Education Code relating to required online information posted by public institutions of higher education and the Higher Education Coordinating Board. The bill would also require the Higher Education Coordinating Board and Texas Workforce Commission would develop a comprehensive strategy to improve and coordinate the dissemination of online information regarding the operation and performance of career schools or colleges that the board or commission identifies as doing business in the state. As part of the comprehensive strategy, the Board and the Commission would compile, share, and compare existing data and other applicable information under the control of each agency and would organize the information as nearly as possible according to the categories of information required for the online resumes of lower-division public institutions. The bill provides guidance on what information would be included on the website.
- Effective Immediately

★ HB 1341 by Walle

 Eliminates inconsistencies regarding tuition payment dates by giving each institution of higher education the freedom to set its own policy with regard to collection of tuition and mandatory fees. This bill also replaces specific references to semesters with more generic references to reduce confusion associated with registrations that take place outside of the traditional fall, spring, and summer model. Effective Immediately

★ HB 1495 by Munoz

- Seeks to clarify that DIR's statutory obligations and rules do not apply to a community college district, with certain exceptions. Community colleges must still comply with applicable federal requirements relating to information technology.
- Effective Immediately

★ HB 3468 by Patrick

- Requires the Texas Education Agency (TEA), along with the Coordinating Board, to conduct a study of best practices related to college readiness and submit a related report to the Legislature and the Governor.
- The bill would require TEA and THECB to review the standardized adult basic education assessment and recommend changes.
- Effective Immediately

★ HB 3577 by Gonzales

- Amends the eligibility requirements for the Texas Educational Opportunity Grant Program (TEOG). The bill would specify that a person may not receive a TEOG and a TEXAS Grant in the same semester.
- Effective Immediately

★ SB 5 by Zaffirini

- Attempts to facilitate efficient operations, reduce institutional costs, and provide administrative flexibility to institutions of higher education.
- Effective Immediately

★ SB 32 by Zaffirini

- Consolidates all tuition exemptions and waivers into one chapter of the Texas Education Code and would amend statutory provisions governing tuition, fee exemptions, and waivers respective to specific target populations in higher education. The bill also clarifies which programs are optional or mandatory, and reimbursed or unreimbursed.
- The changes in law made by this Act apply beginning with tuition and other fees charged for the 2012-2013 academic year.

★ SB 32 by Zaffirini

 Requires the Coordinating Board to establish a method for assessing the quality and effectiveness of academic advising services available to students at each institution. The method of assessment must include the use of student surveys and identify quantifiable measures for an assessment. The method of assessment shall be established by the Higher Education Coordinating Board not later than September 1, 2012.

Effective Immediately

★ SB 179 by Estes

- Will statutorily incorporate the service area of the part of Graham Independent School District located in Young County into the North Central Texas College District.
- Effective Immediately

★ SB 386 by Williams

- Amends current law by officially changing the name of North Harris Montgomery Community College District to Lone Star College System.
- Effective Immediately

★ SB 773 by Zaffirini

- Extends from January 1, 2012, to January 1, 2016 the current discount for Telecommunications provided to educational institutions, libraries, hospitals and telemedicine centers
- Effective 9/1/11

★ SB 975 by Hinojosa

- Replicates the dropout recovery program currently operated by Pharr-San Juan Alamo Independent School District, known as the College Career and Technology Advancement Academy. The bill allows South Texas College to run the program in order to serve more students in Hidalgo County.
- Effective Immediately

★ SB 1179 by Nelson

 Amends multiple statutes to eliminate certain required reports prepared by state agencies and institutions of higher education that are

currently filed with the office of the governor, the presiding officer of each house of the legislature, the comptroller, or other state entities.

Effective Immediately

★ SB 1726 by Zaffirini

- Relates to the development of measurable learning outcomes for certain undergraduate courses at public institutions of higher education. Under provisions of the bill, each institution of higher education would identify, adopt, and make available for public inspection measurable learning outcomes for certain undergraduate courses offered by the institution. The institutions could adopt learning outcomes under the new provision that are the same as or based on those identified for that that course by the institution's recognized accrediting agency.
- Effective Immediately

Vetoed Bills

★ HB 992 by Castro

• Would have prohibited a general academic teaching institution from counting a dropped class for purposes of the six-course rule if the student drops the class while enrolled at a Community College and the student transferred to a general academic teaching institution after earning at least 30 semester credit hours or an associate degree.

★ SB 40 by Zaffirini

• Texas Guaranteed Student Loan Corporation (TG)activities are limited to the mission of the Federal Family Education Loan Program (FFELP) under which it was created. According to federal law effective July 1, 2010, all Federal Stafford, PLUS, and Consolidation loans must be made under the Federal Direct Loan Program (FDLP). Many of the services performed by TG at no charge under the FFELP, such as helping colleges and universities take appropriate steps to prevent loan defaults by their alumni, are still required. The bill would have allowed TG to continue to manage their existing FFELP portfolio for the life of the loans, as well as operate under the newly established FDLP, thereby allowing the state to continue to utilize the resources and services of TG.

Other Higher Education Bills

• **HB 34 (Branch)** Requires revision of the economics Texas Essential Knowledge and Skills to include methods of paying for postsecondary education and training. Includes students enrolled in an economics course for college credit.

- HB 452 (Lucio) Under provisions of the bill, certain registered full-time students who have been under the conservatorship of the Department of Family and Protective Service on the day preceding the student's 18th birthday may request assistance from the institution of higher education the student is attending in locating temporary housing for any period beginning on the last day of an academic term and ending on the first day of the immediately following academic term. For requesting students who also demonstrate a financial need, the institution may provide a stipend to cover reasonable costs of temporary housing, or, provide direct temporary housing. An institution may use any available revenue, including legislative appropriations, and may solicit and accept gifts, grants, and donations for the purpose of the act.
- HB 1728 (Keffer) Amends the Education Code, Government Code, and Local Code to allow school districts, institutions of higher education, state agencies, and local governments to use any available money, with the exception of money borrowed from the state, to pay for an energy savings performance contract. These groups would no longer be required to pay for energy savings performance services solely out of the financial savings realized from execution of the contracts.
- HB 2910 (Branch) The Coordinating Board could, in partnership with institutions of higher education, may enter into an agreement with a non-profit organization to assist the Board in identifying and implementing effective methods for increasing degree completion rates at institutions of higher education. The bill identifies certain areas that would be examined. The Board could also establish a grant program to fund projects relating to the improvement of degree completion rates. The bill also creates the Texas Science, Technology, Engineering, and Mathematics Challenge Scholarship Program the program would be administered by the Higher Education Coordinating Board.
- **HB 2937 (Lewis)** Expands the Coordinating Board's authority to conduct secure background checks relating to other employees who have access to sensitive information, such as Social Security numbers, financial data, and student-specific information, in an effort to protect the confidentiality of that information.

• **HB 2999 (Lewis)** Allows a general academic teaching institution may develop a fixed tuition rate program for qualified students who agree to transfer to the institution within 12 months after successfully earning an associate degree at a lower-division institution of higher education.

- HB 3470 (Patrick) Attempts to improves access to the Texas Armed Services Scholarship program. It allows transfer students from community colleges or other colleges to qualify for the scholarship, changes the first year graduation requirement to a six-year graduation requirement, extends eligibility to students who enter in the United States Coast Guard and the United States Merchant Marine, and allows students who are currently under contract with one of the armed services to not be disqualified from consideration for this scholarship.
- **HB 3578 (Gonzales)** Increases the maximum amount of an emergency loan to include the costs of textbooks.
- SB 28 (Zaffirini) Establish priority criteria for the TEXAS grant program. Under this proposal general academic institutions must prioritize students who have met two of four academic criteria: completing the equivalent of 12 semester credit hours of college level programs in high school (dual credit, Advanced Placement, or International Baccalaureate) or completing the Distinguished Achievement Program; satisfaction of the Texas Success Initiative college readiness benchmarks on an approved assessment instrument or through qualification for an authorized exemption; completing high school with a B average on a four point zero scale or graduating in the top one-third of the student's high school class; or successfully completing a mathematics course higher than Algebra II. If a student meets two of these criteria, the student is placed ahead of those students who do not meet the criteria. Once an institution has provided all academically prioritized students with a TEXAS grant, it can then distribute remaining funds to need eligible yet academically ineligible students.
- **SB 149 (West)** Requires the Coordinating Board to collect student course data from public institutions of higher education as it pertains to the school district college credit program.
- **SB 176 (Huffman)** Amends the eligibility requirements under Education Code Sec. 54.0065(a) for receiving a \$1000 rebate of tuition by no longer counting dual-credit high school courses against the hour limitation.
- **SB 324 (Jackson)** Directs the University of Houston-Clear Lake (UH-Clear Lake) to offer all levels of undergraduate programs, rather than only junior and senior programs.

• SB 639 (Van de Putte) Contains clarifications to provide guidance to institutions of higher education to ensure that veterans receive the benefits intended by SB 93 of the 81st Legislature. It also amends current law relating to tuition and fee exemptions at public institutions of higher education for certain military personnel, veterans, and dependents residing in this state.

- **SB 851 (Zaffirini)** Requires the Coordinating Board to set a single statewide financial aid deadline for all public four-year universities.
- SB 898 (Carona) Requires political subdivisions, institutions of higher education, and state agencies to establish goals of reducing electric consumption by at least five percent each fiscal year for 10 years. The bill would require the State Energy Conservation Office to develop and make available forms for entities to report their progress on achieving the required goals and would require the Texas Engineering Experiment Station to calculate the amount of energy savings and resulting reduction in pollution based on progress evaluations.
- **SB 1009 (Huffman)** Requires public institutions of higher education to notify the Federal Student and Exchange Visitor Information System (SEVIS) immediately if a student attending on a student visa withdraws from the institution or withdraws from all courses in which the student is enrolled. More timely reporting will help ensure that the SEVIS reporting system is more accurate and complete.
- SB 1534 (Shapiro) The Coordinating Board would be required to include within the Board's higher education accountability system any private postsecondary educational institutions or private career schools and colleges in this state that offer degree programs. The Board would consult with affected private postsecondary educational institutions and private career schools and colleges regarding the imposition of reporting requirements on those entities; and adopt rules that clearly define the types and amounts of information to be reported to the Board.
- SB 1620 (Duncan) Requires the State Board of Education to establish an approval process that allows certain career and technology courses to be eligible for mathematics and science credit under the recommended high school program. These courses are applied Science, Technology, Engineering, and Mathematics (STEM) courses that meet specific criteria designated in the bill. The bill would require teachers to pass a certification test administered by the organization that created the curriculum on which the STEM course is based; and have at least an associate degree as well as three years of work experience in the occupation for which the STEM course is intended to prepare students. The Commissioner of Education would be required to implement the new process by September 1, 2012.

• SB 1736 (Van de Putte) Attempts to formalize this initiative to develop a model for transfer methods that would maximize academic or workforce education credit awarded by institutions of higher education to veterans for military experience by establishing the College Credit for Heroes program.

Bills That Did Not Pass

• **HB 845 (Murphy)** Would have provided a level-playing field for high school GPA calculation between AP and Dual Credit courses. If a high school allows for an enhancement in a student's GPA after completion of an AP course, then a corresponding increase would be required for the completion of Dual Credit class.

- **HB 1497 (Howard)** Would have required that when the State Board of Education determines the split in Federal Perkins Funding between public education and higher education that higher education would receive no less than 40% of the funds.
- HB 2339 (Gallego) Would have allowed Sul Ross State University to offer vocational, technical, and academic courses leading to associate degrees or certificates and may award those degrees and certificates.
- **HB 2441 (Pitts)** Would have moved community college employees into the Teachers Retirement System for health insurance benefits.
- **HB 3461 / SB 1763 (Margo/Rodriguez)** Would have moved adult education basic education and literacy programs to the Texas Higher Education Coordinating Board from the Texas Education Agency.
- SB 70 / HB 1185 (Zaffirini/Solomons) This was the same legislation from last session that would place into statute the specific exclusion of community colleges from proportionality applied to health insurance.
- SB 354 (Wentworth) Would have allowed the carrying of handguns on college campuses by holders of a concealed handgun license.
- SB 504 (Davis) Current law grants public universities a 20% discount on their electric utility rates this bill would have extended this discount to community colleges and public schools.
- SB 1005 (Van de Putte) Would have prohibit colleges and universities from promoting only one, university affiliated textbook retailer.
- **SB 1488 (West)** Was the effort at modernization and consolidation of community college purchasing statutes.