



# FINAL REPORT

84<sup>TH</sup> LEGISLATIVE SESSION





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# INTRODUCTION

This final report provides a synopsis of legislation passed during the Texas 84th regular legislative session. It is predominantly relevant to community colleges, including Houston Community College (HCC). The report's purpose is to provide an overview of the session's results and to introduce the reader to new laws passed during the aforementioned session. It also positions HCC to comply with new state laws and policy standards.

As the reader considers this final report, general observations include:

- The Legislature approved a budget of \$209.4 billion (All Funds), including \$102.8 billion (General Revenue), and it pays \$4 billion in tax relief to homeowners and businesses;
- The governor exercised his veto authority and reduced \$233 million from discretionary funding, and \$295 million overall;
- HCC's base formula funding increased by 1.2% from \$138,297,870 in 2014-2015 to \$139,990,854 in 2016-2017;
- The HCC-UT Tyler rider funding request for \$3.2 million failed passage;
- Key policy makers agreed to address the HCC baccalaureate degree measure during the interim session period;
- The Legislature eliminated the ERS 90-day waiting period for new employees to contribute and earn benefits; and
- Carrying concealed handguns on the campuses of higher education institutions, with the opportunity to consider certain factors, is permissible in the state of Texas.

The 84th legislative session adjourned *sine die* June 1, 2015. During the session, there were 6,276 bills filed and 1,322 passed. HCC tracked 460 bills and identified 71 that have impact on the institution. This report provides an overview of the latter identified bills, the bills' purpose and effective date to ensure HCC's compliance with the law. This is HCC's final report of the 84th regular legislative session.

## STATE OF TEXAS APPROPRIATIONS

The 2016-2017 appropriation for the State of Texas includes:

- \$209.4 billion from all fund sources in HB1, the General Appropriations Act, an increase of \$11.2 billion from the 2014-2015 biennial funding.
- \$102.8 billion in general revenue funding, an increase of \$71.4 billion from the 2014-2015 biennial funding.
- The appropriation for community colleges, increased by \$32.1 million over the prior biennium to \$1.745 billion.
- The governor vetoed \$233 million from discretionary funding, and \$295 million overall.

## COMMUNITY COLLEGES APPROPRIATIONS

The 2016-2017 general revenue appropriation for all community colleges includes:

- \$1.7 billion (as compared to \$1.54 billion in the prior biennium) total funding.
- \$169 million student success funding.
- \$1.5 billion contact hour funding.
- \$50 million core operations funding (\$1 million to each community college).

## REPORTING REQUIREMENT (RIDER 23)

Each public community/junior college shall submit a report to the Legislative Budget Board no later than December 1 of each fiscal year. The report shall include the number of contact hours and success points generated by each campus of the public junior college district in the prior fiscal year and the amount of formula funding transferred to each campus of the public junior college district in the prior fiscal year. The report must also provide the total tuition and fee revenue collected at each campus of the public junior college district in the prior fiscal year and the amount of total tuition and fee revenue that each campus transferred to another campus in the prior fiscal year.

## COMMUNITY COLLEGES EMPLOYEE GROUP INSURANCE

The Higher Education Group Insurance (HEGI) appropriation for all community colleges is as follows:

- \$153,911,789 (FY2016)
- \$164,932,067 (FY2017)

Total: **\$318,843,856**

Unlike other higher education institutions, there is no internal audit requirement for community colleges. However, there is an external audit requirement for community colleges.

## **TEACHERS RETIREMENT SYSTEM AND OPTIONAL RETIREMENT PROGRAM**

- TRS-Higher Education state contribution is \$222,920,462 and \$231,758,217 in fiscal years 2016 and 2017, respectively, based on a state contribution rate of 6.8 percent of payroll in each year of the 2016-17 biennium, estimated.
- The limitation on general revenue for TRS, as it applies to community colleges, is restricted to 50 percent of the state contribution of 6.8 percent in fiscal year 2017 of the total covered payroll.
- ORP state contribution is \$163,759,847 and \$162,499,596 in fiscal years 2016 and 2017, respectively.
- The limitation on general revenue for ORP, as it applies to community colleges, is restricted to 50 percent of the state contribution of 6.6 percent for each year of the 2016-17 biennium.
- Institutions authorized to provide ORP to their employees may use either local funds or other sources to supplement the General Revenue Fund appropriation at a rate up to 1.9 percent of payroll.
- If applicable, relating to ORP, higher education institutions shall certify estimates of state contributions required for payment to the Comptroller.

## **STUDENT FINANCIAL AID AND GRANTS**

For the 2016- 2017 biennium:

- Texas Grants funding is \$715 million.
- B-On-Time (Public) funding is \$63.4 million.
- Texas Education Opportunity Grant Program (JUCO) funding is \$86.4 million.
- Accelerate Texas Community Colleges Grants funding is \$4 million.
- Developmental Education (DE) Program funding is \$1.6 million.

## HIRE LOCAL FIRST

HCC's "hire local first" legislation (HB 1410 and SB 1199), relating to consideration of a bidder's principal place of business by public junior college districts in awarding contracts, failed passage.

## BACCALAUREATE IN NURSING (BSN)

BSN legislation (HB 1384 and SB 271), relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs, failed passage. The Senate bill author and Senate Higher Education committee chair committed to work on this policy matter during the interim-session in preparation for its consideration next session. HB 1384 passed out of committee and was set on the House Calendar where it remained.

## DUAL CREDIT STATUTORY CHANGE

Now law, SB 1004 authorizes a public junior college with a service area located wholly or partly in a county with a population of more than three million to enter into an articulation agreement with each school district to provide dual credit courses. The language "population of more three million" identifies the geographic location of Harris County, Texas, which has more than three million people.

## HCC SPECIFIC APPROPRIATIONS

The HCC specific appropriation is as follows:

- Contact Hour Funding 2016: **\$ 63,010,955**
- Contact Hour Funding 2017: **\$ 63,010,954**
- Core Operations Funding: **\$ 1,000,000**
- Student Success Funding 2016: **\$ 6,484,473**
- Student Success Funding 2017: **\$ 6,484,472**

Total 2016-2017 base funding: **\$139,990,854**

Above total is **1.2 percent greater** than the prior biennium appropriation.

Prior biennium (2014-2015) appropriation: **\$138,297,870**



## HCC EMPLOYEE BENEFITS

The HCC group health insurance appropriation is as follows:

- \$10,596,777 (2016)
- \$11,355,196 (2017)

Total: **\$21,951,973**

## HCC EXCEPTIONAL ITEMS REQUESTS

While HCC requested \$7.5 million in exceptional items funding via its Legislative Appropriations Request (LAR) for projects relating to Oil & Gas Workforce, Bachelor of Science in Nursing, and Expansion of Filmmaking, the Legislature did not fund any portion of the request for the 2016-2017 biennium.

## RELEVANT LEGISLATION

### APPROPRIATIONS/FISCAL MATTERS

#### **HB 1** (by Otto/Nelson)

General appropriations bill – *relating to appropriations for the 2016-2017 biennium.*

The bill identifies state appropriations to all state agencies and other entities, including higher education institutions, for the 2016-2017 biennium. The governor exercised his line-item veto authority and reduced the budget by \$295 million.

**Effective Date:** June 20, 2015.

#### **HB 2** (by Otto/Nelson)

*Relating to making supplemental appropriations and giving direction and adjustment authority regarding appropriations.*

The bill appropriates \$280.1 million in general revenue funds – \$503.2 million in all funds – for fiscal 2015 to a number of state agencies. It also reduces fiscal year 2015 appropriations to certain agencies and adjusts the authority that some agencies have over certain appropriations. The governor exercised his line-item veto authority and deleted an appropriation to the Facilities Commission – Texas Department of Motor Vehicles, effective immediately.

**Effective Date:** June 20, 2015.

### **HB 6** (by Otto/Hinojosa)

*Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.*

The bill updates references to the Government Code that govern the use of dedicated revenues to extend its provisions through 2017 and to make such provisions apply to the 84th Legislature.

**Effective Date:** June 19, 2015.

### **HB 7** (by Darby/Nelson)

*Relating to certain fiscal matters affecting governmental entities; reducing or affecting the amounts or rates of certain taxes, assessments, surcharges, and fees.*

The bill modifies provision governing general revenue dedicated funds and accounts. It also modifies fees, eligible uses funds, procedures, and other provisions.

**Effective Date:** September 1, 2015.

### **HB 32** (by Bonnen *et al.*)

*Relating to the computation and rates of the franchise tax; decreasing tax rates.*

Changes tax rates – by 25% – applicable in determining franchise tax liability and the amount of total revenue.

**Effective Date:** January 1, 2016.

### **HB 1378** (by Flynn/Bettencourt)

*Relating to the fiscal transparency and accountability of political subdivisions.*

The bill requires a political subdivision to compile and report certain debt information. The bill further permits a political subdivision to submit the financial information to the Comptroller who must then post the debt obligation to the Comptroller's website, and the political subdivision must include a link on its website to the Comptroller's website where the debt information appears.

**Effective Date:** January 1, 2016.

### **HB 2083** (by Darby/Hancock)

*Relating to the determination of the appraised value of property for purposes of an ad valorem tax protest or appeal.*

The bill requires the use of generally accepted appraisal methods in appeals. It also requires that the selection of comparable properties and the application of adjustments made to the appraised value of a property be based on generally accepted appraisal methods.

**Effective Date:** January 1, 2016.

**SB 1** (by Nelson/Bonnen)

*Relating to certain restrictions on the imposition of ad valorem taxes and to the duty of the state to reimburse certain political subdivisions for certain revenue loss; making conforming changes.*

The bill reduces the property tax burden on homeowners, while holding school districts harmless for any local revenue lost as a result of the aforementioned reduction. It increases the homestead exemption from \$15,000 to \$25,000. It applies to an individual 65 years of age or older or one deemed disabled.

**Effective Date:** June 15, 2015.

**HUMAN RESOURCES**

**HB 9** (by Flynn/Huffman)

*Relating to the Employee Retirement System of Texas.*

The bill increases the member contribution rate from 7.2 percent in FY2016, and 7.5 percent in FY2017, to 9.5 percent in both fiscal years and beyond. The member contribution rate would be reduced beyond FY2017 if the state contribution rate is less than 9.5 percent.

**Effective Date:** September 1, 2015.

**HB 197** (by Flynn/Huffman)

*Relating to requiring certain public institutions of higher education to post information regarding mental health resources on the institution's Internet website.*

The bill requires certain public institutions of higher education, including public junior colleges, to create a web page on the institution's website dedicated solely to information regarding the mental health resources available to students at the institution. The site also must include the address of the nearest local mental health authority.

**Effective Date:** September 1, 2015.

**HB 437** (by Campbell *et al.*)

*Relating to eligibility to participate in health benefit programs for certain state employees reemployed after military service.*

The bill amends the Insurance Code to provide insurance coverage on the first day of reemployment for employees who return to their state position upon discharge, separation, or release from active military duty.

**Effective Date:** September 1, 2015.

**HB 445** (by Lucio *et al.*)

*Relating to providing notice of the availability of paid leave for military service to public officers and employees.*

Requires written notice be given to officers and employees regarding the availability of paid leave for military service.

**Effective Date:** September 1, 2015.

**HB 966** (by Crownover/Hancock)

*Relating to the creation of an optional consumer-directed health plan for certain individuals eligible to participate in the group benefits program provided under the Texas Employees Group Benefits Act and their qualified dependents.*

Among other things, the bill requires the Employee Retirement System to establish a consumer-directed health plan, which would include a high deductible health plan and a health savings account as an option of Group Benefit Program participants. Participation in the program is voluntary.

**Effective Date:** September 1, 2015.

**HB 1771** (by Raney/Kolkhorst)

*Relating to the donation of sick leave by state employees.*

The bill allows state employees to donate any amount of their accrued sick leave to another employee at the same agency who has exhausted their own sick leave and any sick leave pool amounts available to them. An employee may neither receive nor provide remuneration in exchange for the donation of sick leave.

**Effective Date:** September 1, 2015.

**HB 1937** (by Darby/Fraser)

*Relating to procedures and eligibility for terminating participation in the Teacher Retirement System of Texas deferred retirement option plan.*

The bill allows revocation of participation in the deferred retirement option plan (DROP) on or before December 31, 2015, as if the member never participated, provided, the member's DROP period has expired, and they have not retired before this date. The bill also allows DROP revocation for an eligible beneficiary.

**Effective Date:** September 1, 2015.

**HB 2168** (by Munoz/Lucio)

*Relating to the payment date for annuities from the Teacher Retirement System of Texas.*

The bill provides that monthly annuity payments from the TRS are generally due to be paid on the last working day of the month for which payment accrues, rather than on the first working day of each month following the month for which the payment accrues.

**Effective Date:** September 1, 2015.

**HB 2974** (by Flynn/Huffman)

*Relating to the systems and programs administered by the Teacher Retirement System of Texas.*

The bill makes technical and administrative changes related to the definitions of annual compensation and employees, membership requirements, refunds, out-of-state service credit, open meeting, and contributions from employers to TRS-Care, the retiree health benefit plan, due to the employment of retired return-to-work employees. It also establishes a joint interim committee to study and propose reform to TRS-Care and TRS-Active Care.

**Effective Date:** September 1, 2015.

**HB 3307** (by Miller/Hinojosa)

*Relating to the authority of the Employees Retirement System of Texas to make available a TRICARE Military Health System supplemental plan.*

The bill authorizes ERS to make available a TRICARE Military Health System supplemental plan. The bill seeks to offset out-of-pocket costs associated TRICARE benefits for veterans to incentivize their use of such benefits and help both the state and retired veterans save money on health care costs.

**Effective Date:** June 17, 2015.

**SB 664** (by Taylor/Sheets)

*Relating to employment termination for falsification of military record in obtaining employment or employment benefits.*

The bill amends existing law relating to employment termination for falsification of military record in obtaining employment or employment benefits. It provides clear authority to an employer to terminate employees who falsify their military service record in obtaining employment or any other benefits relating to employment.

**Effective Date:** September 1, 2015.

**SB 901** (by Eltife/Collier)

*Relating to the amount of temporary income benefits to which an injured employee is entitled under the workers' compensation system.*

The bill raises the Temporary Income Benefits (TIBs) benchmark earning rate to which an injured employee is entitled from \$8.50 to \$10 an hour.

**Effective Date:** September 1, 2015.

**SB 1750** (by West/Murphy)

*Relating to the requirements for employment positions provided through the Texas college work-study program.*

The bill requires that at least 20 percent but not more than 50 percent of the employment positions through the Texas college work-study program in an academic year are provided by employers who provide employment located off campus. The bill also requires the Higher Education Coordinating Board to submit a biennial report on the work study program.

**Effective Date:** June 19, 2015.

**SB 1940** (by Huffman/Flynn)

*Relating to the creation of a joint interim committee to undertake a study of health benefit plans administered by the Teacher Retirement System of Texas.*

The bill creates a joint committee to study and review the health benefit plans, including TRS-Care and TRS-ActiveCare. It identifies the member composition and requires the committee to report its findings to the legislative leadership no later than January 15, 2017.

**Effective Date:** June 19, 2015.

## **INSTRUCTIONAL SERVICES**

### **HB 505** (by Rodriguez/Estes)

*Relating to a prohibition of limitations on the number of dual credit courses or hours in which a public high school student may enroll.*

The bill prohibits any limitation of the number of dual credit courses, dual credit hours, or grade levels in which a high school student could enroll each semester or academic year. The bill repeals existing law prohibiting high school students from enrolling in more than three courses in a junior college if the junior college does not have a service area that includes the student's high school.

**Effective Date:** May 23, 2015.

### **HB 1049** (by Rodriguez, Eddie/Rodriguez, Jose)

*Relating to the classification of licensed massage therapy programs as postsecondary education programs.*

The bill classifies "massage therapy" instruction provided by a licensed massage school as a postsecondary education program.

**Effective Date:** June 16, 2015.

### **HB 1054** (by Clardy/Zaffirini)

*Relating to developmental education programs under the Texas Success Initiative for public institutions of higher education.*

The bill, in part, adds a "Basic Academic Skills" level to the remediation of the Texas Success Initiative (TSI) assessment statute to ensure that entering college students are appropriately placed in classes and given the tools for success. It also authorizes institutions of higher education to refer a student to developmental coursework, as considered necessary to address a student's deficiencies in readiness to perform.

**Effective Date:** June 16, 2015.

### **HB 1583** (by Clardy/Zaffirini)

*Relating to block scheduling for associate degree and certificate programs at public junior colleges.*

The bill requires community colleges to establish a block schedule curriculum for each of their career and technology, allied health, or nursing associate degree or certificate programs. Course would be offered in blocks, such as morning, full-day, afternoon, evening, or weekend blocks. It also requires publishing available blocks at the start of each semester.

**Effective Date:** September 1, 2015.

**HB 1613** (by Guillen/Perry)

*Relating to the alignment of college readiness standards and expectations and essential knowledge and skills and the use to satisfy requirements concerning high school end-of-course assessment instruments of performance demonstrating satisfaction of certain college readiness benchmarks on certain assessment instruments designated by the Texas Higher Education Coordinating Board.*

The bill requires the State Board of Education to develop and adopt a chart that shows alignment of college readiness standards with the Texas Essential Knowledge and Skills. The bill exempts students from Algebra I, or English I and III end-of-course assessment under certain conditions.

**Effective Date:** June 19, 2015.

**HB 1807** (by Naishtat/Zaffirini)

*Relating to requiring the Texas Higher Education Coordinating Board to maintain an inventory of postsecondary educational programs and services for persons with intellectual and developmental disabilities.*

The bill requires institutions of higher education to submit all institutional and programmatic postsecondary offerings for persons with intellectual developmental disabilities (IDDs) to the THECB. The purpose is to promote postsecondary opportunities for persons with IDD by maintaining a centralized list of opportunities.

**Effective Date:** June 17, 2015.

**HB 1992** (by Zerwas/Seliger)

*Relating to the granting of undergraduate course credit by advanced placement examination at public institutions of higher education.*

The bill requires all public institutions of higher education to award college credit for lower-division courses if a student earned a score of 3 or higher on the corresponding Advanced Placement (AP) exam, unless the chief academic officer determined, otherwise, based on evidence that a higher score was needed.

**Effective Date:** June 3, 2015.

**HB 2812** (by Springer/Taylor)

*Relating to the limit on junior college courses that a high school student may enroll in for dual credit and the calculation of average daily attendance for a school district or open-enrollment charter school.*

The bill removes the limitation relating to the number of junior college courses in which a high school student may enroll for dual credit. It also authorizes the Commissioner of Education to adopt certain rules governing students' participation in off-campus instructional programs.

**Effective Date:** June 17, 2015.



**SB 947** (by Zaffirini/Howard)

*Relating to a study and report by the Texas Higher Education Coordinating Board on the feasibility of providing off-campus employment positions through the Texas college work-study program.*

The bill requires the THECB to conduct a one-time study to examine the feasibility of providing employment positions located off-campus through the Texas college work-study program. The study will identify best practices for developing partnerships with employers and identify any barriers that junior colleges face in developing such partnerships.

**Effective Date:** May 22, 2015.

**SB 1004** (by Bettencourt)

*Relating to courses and programs offered jointly by certain public junior colleges and independent school districts.*

The bill permits certain public junior colleges and certain independent school districts (ISDs) to enter into an articulation agreement for dropout recovery programs. Students attending these ISDs would not be limited to the number of dual credit courses they could take and the public junior colleges could offer the same courses. The bill affects 25 school districts located wholly or partially within Harris County.

**Effective Date:** June 19, 2015.

**SB 1189** (by Seliger/Zerwas)

*Relating to the establishment of a multidisciplinary studies associate degree program at each public junior college.*

The bill requires the governing board of each public junior college district to establish a multidisciplinary studies associate degree program to be offered beginning with the 2016 semester. In such program, a student must successfully complete the junior college's core curriculum.

**Effective Date:** June 19, 2015.

**SB 1351** (by Hinojosa/Zerwas)

*Relating to transferring to the Texas Workforce Commission certain duties of the comptroller related to the Jobs and Education for Texans Grant Program.*

The bill transfers the administration of the Jobs and Education for Texas (JET) Grant Program to the Texas Workforce Commission (TWC) to bolster the TWC's capacity-building mission and better prepare out-of-work Texans for jobs.

**Effective Date:** June 16, 2015.

**SB 1714** (by Zaffirini/Howard)

*Relating to the release of student academic information by a public institution of higher education for certain purposes and the manner in which the information is used.*

The bill seeks to minimize the administrative burden of transferring (including “reverse transfer”) credit hours between two-year and four-year institutions of higher education. It allows institutions to participate in the National Student Clearinghouse, a data exchange service, which offers services designed to automate the process.

**Effective Date:** June 16, 2015.

**SB 1776** (by Menendez/Guillen)

*Relating to the exemption from the assessment requirements of the Texas Success Initiative for students who successfully complete certain college preparatory courses.*

The bill requires an exemption from assessment requirements under the Texas Success Initiative for students who successfully complete certain college preparatory courses recognizing such courses address college readiness up front. It also seeks to eliminate duplicative and potentially costly developmental education course requirements.

**Effective Date:** June 16, 2015.

**FINANCIAL AID & GRANTS**

**HB 495** (by Howard/Hinojosa)

*Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.*

In recognition that the funds are set to expire August 31, 2015, the bill amends existing law to extend the time to use funds from the permanent funds for health-related programs to provide grants to nursing education programs.

**Effective Date:** May 29, 2015.

**HB 700** (by Giddings and Zerwas/Seliger)

*Relating to the repeal of the Texas B-On-time student loan program.*

The bill repeals the B-On-Time student loan program and abolishes the B-On-Time Student Loan Account. The remaining funds in the account will be appropriated to eligible public institutions pursuant to existing Board rule. The bill changes the percentage set aside from 20 percent to 15 percent.

**Effective Date:** September 1, 2015.

**SB 806** (by Campbell/King)

*Relating to the College Credit for Heroes program.*

The bill requires the Texas Workforce Commission, not later than November 1 of each year after consultation with the THECB, to report to the legislature and the governor the results of any grants awarded under the College Credit for Heroes program. In part, the objective is to help expedite paths to a college degree, professional certification, or both for veterans. The report will detail best practices for service members to achieve the maximum academic or workforce education credit.

**Effective Date:** June 19, 2015.

**BOARD RELATED**

**HB 484** (by Capriglione/Hancock *et al.*)

*Relating to the eligibility of a person to be a candidate for or holder of certain public elective offices.*

The bill amends the Election Code and the Government Code requiring certain persons elected to certain public offices to be registered to vote in the jurisdiction from which their office is elected.

**Effective Date:** September 1, 2015.

**HB 2354** (by Farney/Schwertner)

*Relating to changing the date of the May uniform election.*

The bill changes the May uniform election dates as follows: (1) general or special election in an odd-numbered year must be held the first Saturday in May (no longer the second Saturday in May) and (2) changes the date on which a general or special election held by a political subdivision (other than a county) in an even-numbered year must be held first Saturday in May (no longer the second Saturday in May).

**Effective Date:** September 1, 2015.

**SB 24** (by Zaffirini/Zerwas)

*Relating to training for members of the governing board of a public institution of higher education.*

The bill generally requires the Texas Higher Education Coordinating Board (THECB) to develop an intensive short orientation course for members of the governing boards of institutions of higher education who hold appointive positions. Orientation courses may be offered either as an online interactive course, in written document form, or in a one-on-one or group setting. The appointee must attend the course within a prescribed time – the first time offered following the date the appointee takes the oath of office.

**Effective Date:** January 1, 2016.

**SB 27** (by Zaffirini/Howard)

*Relating to the online broadcast of open meetings of institutions of higher education.*

The bill seeks to promote transparency and public access to open conference call meetings of certain public higher education entities. It requires that telephone conference call meetings be made available via live broadcast over the Internet. The bill also requires that such meetings be made available to the public in an online archive located on the entity's website.

**Effective Date:** September 1, 2015.

**SB 386** (by Taylor/Villalba)

*Relating to school marshals for public junior colleges.*

The bill seeks to provide an economically feasible alternative to the expense of creating a police department or hiring private security at a public junior college. It authorizes the governing board to appoint one or more school marshals and to select for appointment an applicant who is an employee of the junior college and certified by the Texas Commission on Law Enforcement, as eligible for appointment. Such appointee(s) may possess a handgun on the physical premises of the institution, as prescribed by board regulations.

**Effective Date:** September 1, 2015.

**LEGAL RELATED**

**HB 685** (by Sheet/Hancock)

*Relating to the production of public information under the public information law.*

In part, the bill prescribes that an officer for public information for a political subdivision complies with the law by referring a requestor of information to an exact Internet location or uniform resource locator (URL) address on a website maintained by the political subdivision, if the requested information is identifiable and readily available on the website.

**Effective Date:** September 1, 2015.

**HB 699** (by Nevarez/Uresti)

*Relating to requiring public institutions of higher education to establish a policy on campus sexual assault.*

The bill requires each institution of higher education to adopt a policy on campus sexual assault and make this information available to students, faculty, and staff members. It requires posting the information on the institution's website and requires entering freshman or undergraduate transfers to attend an orientation on the institution's campus assault policy.

**Effective Date:** June 19, 2015.

**HB 1295** (by Capriglione/Hancock)

*Relating to the disclosure of research, research sponsors, and interested parties by persons contracting with governmental entities and state agencies.*

The bill requires state agencies to disclose information produced through research contracts with institutions of higher education in certain circumstances.

**Effective Date:** September 1, 2015.

**HB 1311** (by McClendon/Menendez)

*Relating to the confidentiality of personal information concerning certain employees currently or formerly involved in the Texas juvenile justice system.*

The bill prohibits certain personal information of current and former employees of the Texas Juvenile Justice Department or juvenile justice programs, or facilities from being public information.

**Effective Date:** June 16, 2015.

**HB 1832** (by Pickett/Taylor)

*Relating to the requirements for and confidentiality of state agency continuity of operations plans.*

The bill exempts certain agency plans and materials from disclosure.

**Effective Date:** June 19, 2015.

**HB 2134** (by Burkett/Hall)

*Relating to allowing a governmental body to request clarification of a request for public information by electronic mail.*

The bill amends the Government Code to allow governmental entities responsible for public information request to seek clarification from the requestor by electronic mail if the request was submitted electronically.

**Effective Date:** September 1, 2015.

**HB 2152** (by Fletcher/Estes)

*Relating to the confidentiality of certain information concerning service members of the state military forces.*

The bill amends the Government Code to specify that military personnel information such as name, rank, pay rate or grade, or other specified information is confidential and not subject to disclosure.

**Effective Date:** September 1, 2015.

**HB 4046** (by Alvarado/Ellis)

*Relating to confidentiality of student records.*

The bill closes the gap on what constitutes a student public record and operates to ensure the coverage afforded under federal privacy law with regard to an individual who applies for enrollment at an institution but does not enroll or attend the institution.

**Effective Date:** September 1, 2015.

**SB 273** (by Campbell/Guillen)

*Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.*

The bill authorizes citizens to file complaints (with evidence) and the attorney general to enforce fines (\$1,000 for first offense and \$10,000 for subsequent offenses) against political subdivisions that unlawfully post signs that prohibit concealed weapons on property where concealed handguns are legally permitted.

**Effective Date:** September 1, 2015.

**SB 450** (by Schwertner/Sheets)

*Relating to the liability of a political subdivision of this state for certain claims relating to land acquired by the political subdivision under certain circumstances.*

The bill would protect political subdivisions, similar to municipalities, against tort liability claims that result during the acquisition of foreclosed property or property conveyed to the political subdivision to satisfy a property tax debt.

**Effective Date:** September 1, 2015.

**SB 1455** (by Zaffirini/Elkins)

*Relating to certain required reports, plans, and other documents prepared by state agencies and institutions of higher education.*

The bill seeks to streamline certain state reporting requirements and operates to ensure that limited resources are being committed to current priorities.

**Effective Date:** September 1, 2015.

## **CONCEALED CARRY/POLICE RELATED**

### **HB 910** (by Phillips/Estes)

*Relating to the authority of a person who is licensed to carry a handgun to openly carry a holstered handgun; creating criminal offenses.*

The bill authorizes individuals to obtain a license to carry openly (“in plain view”) a holstered handgun in all places – excluding the premises of higher education institutions – that allow the licensed carrying of a concealed handgun.

**Effective Date:** January 1, 2016.

### **SB 11** (by Birdwell/Fletcher)

*Relating to the carrying of handguns on the campuses of and certain other locations associated with institutions of higher education; providing a criminal penalty.*

The bill authorizes an individual possessing a valid concealed handgun license issued in the state of Texas to carry a concealed handgun on campuses or premises associated with public and private institutions of higher education. The bill allows such institutions to establish rules governing the carrying of concealed handguns on campuses and requires the institutions to provide a report about its adopted rules to the legislature.

**Effective Date:** August 1, 2016 for all higher education institutions, except community colleges, for which the law is effective August 1, 2017.

## **PROCUREMENT RELATED**

### **SB 20** (by Nelson/Price)

*Relating to state agency contracting.*

In part, stemming from an incident involving contracting with the Department of Health and Human Services (DHHS), among other things, the bill requires auditing certain contracts entered into by DHHS and would also require institutions of higher education to participate in the training and certification process offered to state agencies by the Comptroller of Public Accounts.

**Effective Date:** September 1, 2015.

### **HB 2049** (by Darby/Eltife)

*Relating to indemnification and duties of engineers and architects under certain governmental contracts.*

The bill prohibits certain provision in contracts for engineering or architectural services involving a governmental entity and would require a specific standard of care to be included in those contracts. The bill further addresses the implications of negligence and a duty to defend, as each applies to the contracting relationship between a governmental entity and engineering or architectural services.

**Effective Date:** September 1, 2015.

**SB 1281** (by Zaffirini/Coleman)

*Relating to the authority of a local government to participate in a cooperative purchasing program with local governments of this state or another state.*

The bill authorizes Texas “local governments” – statutorily defined as a political subdivision of the state – to participate in a cooperative purchasing agreement to partner with local governments or cooperative organizations in other states to secure the best price for goods or services.

**Effective Date:** May 29, 2015.

**GENERAL INFORMATION**

**HB 382** (by Canales/Lucio)

*Relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish a branch campus in a certain location.*

The bill allows South Texas Community College District to adopt and implement a plan to expand opportunity for certain instructional programs in Edcouch or Elsa beginning with the 2019-2020 academic year.

**Effective Date:** September 1, 2015.

**HB 658** (by Zerwas/Kolkhorst)

*Relating to the creation of a campus of the Texas State Technical College System in Fort Bend County.*

The bill amends the Education Code to authorize creation of a campus of the Texas State Technical College (TSTC) System located in Fort Bend County.

**Effective Date:** May 23, 2015.

**HB 1300** (by Capriglione/Seliger)

*Relating to eligibility requirements for admission of certain persons to educator preparation programs.*

The bill requires individuals admitted under the 10% rule to perform at a satisfactory level on a subject matter exam prior to admission.

**Effective Date:** September 1, 2015.



**HB 2763** (by Thompson/Rodriguez)

*Relating to a study of the current and potential economic impacts of recycling.*

The bill requires the Texas Commission on Environmental Quality (TCEQ) to conduct a recycling study to assess the current recycling efforts and identify ways in which the private and public sectors can improve and increase such efforts. The study will be included in the 2016 summary report titled "Municipal Solid Waste in Texas: A Year in Review".

**Effective Date:** June 17, 2015.

**HB 3348** (by Clardy/Eltife)

*Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.*

The bill requires the THECB to establish a pilot project to examine the feasibility and effectiveness of authorizing baccalaureate degree programs in the field of dental hygiene at a public junior college that satisfies particular criteria.

**Effective Date:** June 19, 2015.

**SB 37** (by Zaffirini)

*Relating to requiring the Texas Higher Education Coordinating Board to collect and study data on the participation of persons with intellectual and developmental disabilities at public institutions of higher education.*

The bill requires the THECB to collect and maintain data relating to undergraduate and graduate level participation of persons with IDD and to conduct an ongoing study of the data to analyze factors affecting participation of such persons at institutions of higher education.

**Effective Date:** September 1, 2015.

**SB 495** (by Watson/Miller)

*Relating to the service areas of certain junior college districts.*

The bill moves the territory within Gillespie County from the service areas of Austin Community College District to the service area of the Central Texas College District. It also moves territory within that part of Nixon-Smiley Consolidated Independent School District service areas to the Victoria College District service area.

**Effective Date:** June 16, 2015.

## **FAILED PASSAGE**

### **HB 61** (by McClendon)

*Relating to a single common course numbering system for public institutions of higher education in this state.*

The bill sought to clarify the course numbering system and facilitate the transfer of common courses among institutions of higher education. The overall objective was to help students select courses with ease and give assurance that the selected course would transfer to another institution. The companion bill was SB 1770 (by Taylor).

**Effective Date:** Failed passage.

### **HB 544** (by Dutton)

*Relating to payment by a school district of the costs of developmental coursework provided by an institution of higher education under the success initiative.*

The bill sought to assign all of the costs of the developmental coursework provided by an institution of higher education, via the commissioner, to a school district. The bill also sought to ensure fairness, consistency, and fundamental due process.

**Effective Date:** Failed Passage.

### **HB 1318** (by Button)

*Relating to the eligibility of presidential general election debates for distributions from a Major Events trust fund.*

The bill sought to add a presidential general election debate to the list of events to receive funding through the Major Events Trust Fund and to add the Commission on Presidential Debates as an approved site selection organization. The bill also sought to specify that each debate in a series of presidential debates before a general election is considered a separate, single event.

**Effective Date:** Failed passage.

### **HB 1384** (by Davis, Sarah, Laubenberg, Pena, Raney, Munoz)

*Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.*

The bill sought to authorize certain public junior colleges to offer baccalaureate degree programs, particularly in the fields of nursing and applied science, based upon a showing of demonstrated workforce need.

**Effective Date:** Failed passage.

**HB 1410** (by Miles, Walle, Gutierrez, Leach, Mevarez)

*Relating to consideration of a bidder's principal place of business by public junior college districts in awarding certain contracts.*

The bill sought to authorize a public junior college district to consider a bidder's principal place of business in awarding certain contracts.

**Effective Date:** Failed passage.

**HB 3572** (by Zerwas) – Hazlewood Exemption

*Relating to tuition and fee exemptions at public institutions of higher education for certain military personnel and their dependents.*

The bill sought to contain the costs of benefits to certain military personnel and their dependents to ensure the availability on such benefits to Texas residents only.

**Effective Date:** Failed Passage.

**SB 271** (by Ellis)

*Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.*

The bill sought to authorize the THECB to permit certain community colleges to offer baccalaureate degree programs, particularly in the fields of nursing and applied science, based upon a showing of demonstrated workforce need.

**Effective Date:** Failed passage.

**SB 541** (by Taylor)

*Relating to the eligibility of presidential general election debates for distributions from a Major Events trust fund.*

The bill sought to add a presidential general election debate to the list of events to receive funding through the Major Events Trust Fund and to add the Commission on Presidential Debates as an approved site selection organization. The bill sought to specify that each debate in a series of presidential debates before a general election is considered a separate, single event.

**Effective Date:** Failed passage.

**SB 1199** (by Garcia)

*Relating to consideration of a bidder's principal place of business by public junior college districts in awarding certain contracts.*

The bill sought to authorize a public junior college district to consider a bidder's principal place of business in awarding certain contracts.

**Effective Date:** Failed Passage.

**SB 1819** (by Campbell, Creighton, Kolkhorst, *et al.*)

*Relating to the determination of resident status of students by public institutions of higher education.*

The bill sought to amend existing law so that a person unauthorized to be present in the United States cannot be considered a resident of this state for purposes of receiving in-state tuition at a public institution of higher education.

**Effective Date:** Failed Passage.

This concludes the 84th regular legislative session final report. If questions arise, the Houston Community College Office of Government Relations is available at the number identified on the back cover of this report.





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