<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Sponsor</th>
<th>Caption – HOUSE BILLS</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 6</td>
<td>Dunnam, Waco; Bivins, Amarillo</td>
<td>Relating to open-enrollment charter schools.</td>
</tr>
</tbody>
</table>

**Summary:** Amends Education Code by adding Sections 12.151—12.156. In addition to current authority, this bill authorizes the State Board of Education to grant a charter on the application of a public senior college or university for an open-enrollment charter school to operate on the campus or in the same county in which the campus of the college or university is located. The charter school’s educational program must include innovative teaching methods, be under the direct supervision of a member of the teaching or research faculty of the university, be designed to meet specific goals including improving student performance, and the financial operations of the charter school must be supervised by the business office of the college or university. The name of the charter school must include the name of the college or university. Effective date: September 1, 2001.

| HB 7    | Chisum, Pampa; Sibley, Waco               | Relating to creating the Office of Rural Community Affairs. |

**Summary:** Amends Education Code, Sections 38.011(j), 51.918(a) and (c), and 58.007(b)(1); Government Code, Section 403.1065(c) and adds Chapter 487; Health and Safety Code, Section 86.011 and repeals Chapter 106. This new office is required to develop a rural policy for the state, including a rural health work plan to find ways to assist rural communities in meeting rural health care needs. The bill does abolish the Center for Rural Health Initiatives and transfers its duties and responsibilities to this new office. The bill also establishes the outstanding rural scholar recognition and loan program for rural health care which would include forgivable loans for eligible undergraduate students. The bill also establishes the health careers promotion and education program to work with students, communities, and community-based organizations to encourage high school students to pursue health care professional careers. Eligible students are entitled to forgivable educational loans under this program. The student is entitled to assistance only if the student signs a contract agreeing to provide health care services to the sponsoring community on completion of the academic program and licensure or certification in the health care profession.

The bill also establishes a medically underserved community-state matching incentive program to increase the number of physicians providing primary care in medically underserved communities. The communities are allowed to receive up to $25,000 in a fiscal year if the community provides evidence that the community has recruited a primary care physician to work in the community for at least two years.

The bill also establishes the Texas health service corps program for medically underserved areas. The office is authorized allowed to award a stipend to a physician if the physician enters into a written contract to provide services in a medically underserved area for at least one year for each year that the physician receives the stipend. The amount of each stipend cannot exceed $15,000 each year.

The bill also establishes the Texas health service corps program for medically underserved areas. The office is authorized allowed to award a stipend to a physician if the physician enters into a written contract to provide services in a medically underserved area for at least one year for each year that the physician receives the stipend. The amount of each stipend cannot exceed $15,000 each year.

The bill establishes a rural health facility capital improvement program to assist public or nonprofit hospitals located in designated rural counties. Before September 1, 2002, the office is directed to evaluate the cost-effectiveness and other benefits of moving at least one-half of its operations to a location outside Travis County, Texas. The if the evaluation indicates that the move would be beneficial and the Legislative Budget Office concurs, the office shall undertake the move. Effective date: September 1, 2001.

| HB 35   | McClendon, San Antonio; Armbrister, Victoria | Relating to the requirements for a meeting of certain governmental bodies held by videoconference call. |
HB 42 McClendon, San Antonio Ogden, College Station

Relating to the authority of the Texas Higher Education Coordinating Board to conduct a feasibility study regarding the creation of a doctor of medicine degree program at Prairie View A&M University.

Summary: Amends Education Code by adding Section 87.107. This bill requires the Coordinating Board, with the assistance of the board of regents of the Texas A&M University System, to conduct a study to evaluate the feasibility of an affiliation or coordinating agreement between the board of regents and any institution of higher education to provide the clinical education necessary to support a doctor of medicine degree program at Prairie View A&M University. The study must be completed before December 31, 2002. Effective date: June 11, 2001.

HB 82 Gallego, Alpine Duncan, Lubbock

Relating to an exemption from sales and use taxes for certain taxable items sold by a qualified student organization affiliated with an institution of higher education.

Summary: Amends Tax Code, Section 151.321. This bill expands the sales tax exemption for qualified student organizations to exempt the first $5,000 of a qualified student organization’s total receipts from sales of taxable items not otherwise exempt. Effective date: October 1, 2001.

HB 100 Maxey, Austin Van de Putte, San Antonio

Relating to the regulation of certain health care activities using the Internet.

Summary: Amends Occupations Code by adding Chapter 105. This bill authorizes state licensing boards that currently regulate health care practitioners to have the same power to regulate applicable practitioners’ activities which occur through the use of the Internet. Effective date: May 23, 2001.

HB 120 West, B. Odessa Duncan, Lubbock

Relating to student intercollegiate athletic fees at the University of Texas of the Permian Basin.

Summary: Amends Education Code by adding Section 54.5331. This bill authorizes the board of regents of the UT System to impose a mandatory intercollegiate athletics fee at UT—Permian Basin if a fee is approved by a majority vote of the students participating in a general student election held for that purpose. The fee may not exceed $5 per semester credit hour for each regular semester. Effective date: May 11, 2001.

HB 152 Brown, F. College Station Ogden, College Station

Relating to a pilot program to provide for reduced undergraduate tuition during a summer term or session at certain institutions of higher education.

Summary: Amends Education Code by adding Section 54.0514. This bill would have allowed a pilot program at Texas A&M University and Texas A&M University—Kingsville. Students enrolled in summer terms would have been charged only one-half of the amount of state tuition and one-half of the amount of designated institutional tuition. The section was to become effective if the legislature appropriated money to cover the tuition revenue lost by the institution. There is no appropriation for the lost tuition revenue. Effective date: September 1, 2001.

HB 164 Olivo, Missouri City Armbrister, Victoria

Relating to the authority of counties to regulate outdoor lighting near major astronomical observatories.

Summary: Amends Local Government Code, Sections 234.001(1), 234.002, and
In addition to current statutory authority to regulate outdoor lighting near the McDonald Observatory, this bill allows the commissioner’s court of a county, any part of which is located within five miles of the observatory at the George Observatory in Houston or the Stephen F. Austin State University Observatory, to adopt orders regulating the installation and use of outdoor lighting in any unincorporated territory of the county. Effective date: September 1, 2001.

HB 234  Hawley, Portland Fraser, Horseshoe Bay
Relating to exempting members of the armed forces from the Texas Academic Skills Program.

Summary:
Amends Education Code, Section 51.306(e) and 51.3061(g). This bill exempts a student who is serving on active duty as a member of the armed forces of the United States from the requirements of the TASP program. This will begin with the fall semester, 2001. Effective date: May 24, 2001.

HB 249  Pitts, Waxahachie Shapiro, Addison
Relating to reports on the extent to which the computer technology and electronically stored information of a state agency or a state contractor are vulnerable to unauthorized access or harm.

Summary:
Amends Government Code, Section 2054.006(a) and adds Section 2054.077. This bill authorizes an information resources manager of a state agency to prepare a vulnerability report assessing the extent to which a computer, a computer program, a computer network, a computer system, computer software, or data processing of the agency or of a contractor of the agency is vulnerable to unauthorized access or harm. The bill protects this vulnerability report from disclosure under the Public Information Act. The information resources manager is required to prepare a summary of the vulnerability report which shall be available to the public if requested. Effective date: June 14, 2001.

HB 259  Lewis, G. Fort Worth Armbrister, Victoria
Relating to equal access to places of public accommodations.

Summary:
Amends Civil Practice and Remedies Code by adding Chapter 91. This bill prohibits a person who owns or operates a public accommodation from restricting access or admission to the accommodation because of the race, creed, sex, religion, or national origin of the individual; or because the individual operates a motorcycle or is a member of an organization that operates motorcycles or wears clothing that displays the name of an organization or association. By definition, a business or entity that offers to the general public food, shelter, recreation, amusements, or any other goods, services, facilities, or accommodations is included. This bill provides for injunctive relief, actual and exemplary damages and attorneys fees. This bill does include an exemption for private or independent institutions of higher education. Effective date: June 17, 2001 Vetoed by the Governor.

HB 266  Ellis, D. Huntsville Ogden, College Station
Relating to the conveyance of certain state property.

Summary:
NEW LAW. This bill allows for the transfer of a tract of land in Walker County from the Department of Criminal Justice to the Board of Regents of the Texas State University System. Effective date: June 14, 2001.

HB 323  Oliveira, Brownsville Lucio, Brownsville
Relating to establishing a center for border economic and enterprise development at the University of Texas at Brownsville.

Summary:
Amends Education Code, Sections 69.22(e), 77.36(e), and 87.504(e); adds Section 78.09. This bill directs the UT System board of regents to establish a center for border economic and enterprise development at UT at Brownsville. The center may develop and manage an economic database concerning the Texas-Mexico border, perform economic development planning and research, and provide technical assistance to industrial and governmental entities. Effective date: June 13, 2001.

HB 342  McClendon, San Antonio Van de Putte, San Antonio
Relating to the study of disease management programs for children’s asthma and to the establishment of an asthma and allergy research advisory committee.
Amends Health and Safety Code by adding Chapter 95. This bill requires the
Texas Department of Health to conduct a pilot study to compare preventative
disease management methods for treating children’s asthma with traditional
methods of treating the disease in both an urban setting and in a rural setting.
The department is directed to submit to the legislature an interim written report
containing the findings of the pilot study not later than November 1, 2002.

The asthma and allergy research advisory committee is to be composed of nine
members appointed by the Governor, in consultation with the Lt. Governor and
the Speaker of the House. The committee is directed to develop a plan to
research asthma and allergy and medical conditions associated with asthma and
allergy, assess the resources and talent of institutions in this state as possible
sites for research opportunities, analyze the impact of asthma and allergy on the
economy of the state, and to make recommendations to the legislature and the
Governor concerning research programs and funding alternatives for the
programs. The commissioner of public health is directed to submit a report to
the Governor and the legislature not later than December 1, 2002. Effective
date: September 1, 2001.

HB 398 Smith, T. Euless
Nelson, Flower Mound
Relating to disclosure of medical billing records regarding a patient.

Amends Occupations Code, Chapter 159. This bill provides a definition for
billing record which means the record that describes charges for services
provided to a patient by a physician. These amendments require a physician to
treat a request for billing records in the same manner as the physician treats a

HB 400 Giddings, DeSoto
Bivins, Amarillo
Relating to assisting prospective students in enrolling in institutions of higher
education.

Amends Education Code by adding Sections 29.903 and 61.088. The first new
section of the Education Code develops a statewide partnership program
between public high schools and public institutions of higher education. The
Texas Education Agency and the Coordinating Board are required to identify
high schools with at least twenty-six students in the high school graduating class
and have been among the lowest 10 percent of high schools in this state in the
percentage of students graduating from the high school and enrolling for the
following academic year in an institution of higher education. Once the high
schools are identified, the school is required to enter into an agreement with the
public institution of higher education in this state in closest geographic
proximity to the school to develop a plan to increase the percentage of the
district’s graduating seniors who enroll in an institution of higher education.
Each identified high school is required to develop and implement a plan to
improve the percentage of students attending higher education.

The second new section of the Education Code requires the Coordinating Board
to administer and coordinate a Higher Education Assistance Pilot Program to
provide to prospective students in three areas of the state information related to
enrollment in public or private institutions of higher education, including
admissions and financial aid information, and to assist those prospective
students in completing applications for admissions and financial aid. The board
is required to report to the legislature not later than August 31, 2003, on the
effectiveness of the pilot program, including recommendations on whether to
implement the program on a statewide basis. Effective date: September 1,

HB 409 Shields, San Antonio
Madla, San Antonio
Relating to the requirement that the name, address, and phone number of a
bondsman appear on the face of performance and payment bonds.

Amends Government Code, Sections 2253.021, 2253.024(a), 2253.026, and
2253.048; Property Code, Sections 53.202 and 53.206. This bill requires the
name, address, and phone number of a surety issuing a payment or performance
bond for a public work project to be displayed on the bond. The amendment
also requires a governmental entity to provide to a person who furnished
materials or is an unpaid subcontractor a certified copy of the payment bond, the
public work contract for which the bond was given, and the toll-free telephone
number of the Department of Insurance for information concerning licensed
insurance companies. Effective date: September 1, 2001.

HB 453 Swinford, Relating to the creation of the Agriculture Policy Board.
Dumas Haywood, Wichita Falls

Summary: Amends Agriculture Code by adding Section 2.004. This bill establishes the Agriculture Policy Board to advocate and recommend strategies for agriculture that enhance production, income, and employment; that benefit consumers, and that promote efficient use of natural resources. The board consists of the Commissioner of Agriculture and eight members of the legislature. The board is directed to review all agriculture budget issues for compliance with the guidelines and establish priorities for agriculture-related research and agency budgets related to agriculture. Effective date: September 1, 2001.

HB 459 Carter, Fort Worth Moncrief, Fort Worth

Relating to higher education tuition and fee exemptions for children of dead or disabled firefighters or peace officers.

Summary: Amends Education Code, Sections 54.204(a)(1) and 54.204(c) and (d) and adds (e). This bill requires that the children of dead or disabled firefighters or peace officers apply for the exemption from tuition and fees prior to the time that the dependent reaches the age of 21 years, or 22 years, if the person is eligible to participate in a school district’s special education program. Present law allows for eight consecutive semesters of exempt tuition and fees. This amendment restructures the exemption to allow for 120 undergraduate semester credit hours. A person is not entitled to an exemption for any semester that the person begins after the date the person becomes 26 years of age. Effective date: June 11, 2001.

HB 461 Crownover, Denton Haywood, Wichita Falls

Relating to imposing a recreational facility fee at the University of North Texas.

Summary: Amends Education Code by adding Section 54.5091. This bill allows the University of North Texas board of regents to establish a recreational facility fee not to exceed $75 per student for each semester of the regular term. The statute contains the usual language regarding a student election for any increase greater than ten percent. Effective date: September 1, 2001.

HB 462 Crownover, Denton Haywood, Wichita Falls

Relating to the authority of the board of regents of the University of North Texas to levy student fees for medical services.

Summary: Amends Education Code, Section 54.5081. This bill authorizes the board of regents of the University of North Texas to increase the medical services fee for each student from $25 to an amount not to exceed $75. The statute contains the usual language regarding a student election for any increase greater than ten percent. Effective date: May 28, 2001.

HB 467 Solomons, Carrollton Nelson, Flower Mound

Relating to the authority of the board of regents of Texas Woman’s University to levy student fees for medical services.

Summary: Amends Education Code, Section 54.5085(a) and (b). This bill authorizes the board of regents of Texas Woman’s University to increase the medical services fee from $30 per student per semester to $55 per student per semester. The statute contains the usual language regarding a student election for any increase greater than ten percent. Effective date: May 28, 2001.

HB 548 Keffer, Eastland Jackson, Pasadena

Relating to the conduct of the business of certain surety companies.

Summary: Amends Insurance Code by adding Article 7.20. This bill establishes a new procedure for construction payment bonds of surety companies including processing claims and requiring prompt payment. Effective date: September 1, 2001.

HB 569 Gallego, Alpine Shapleigh, El Paso

Relating to administrative approval of state employee contributions to the sick leave pool.
Amends Government Code, Section 661.003. This bill eliminates the requirement that an employee of a state agency receive the approval of the sick leave pool administrator to contribute to the sick leave pool. Effective date: September 1, 2001.

HB 609 Hochberg, Houston Shapiro, Addison

Relating to internal auditing of state agencies.

Amends Government Code, Sections 2102.004, 2102.006(a), 2102.007(a), 2102.008, 2102.0091, and 2102.010. This bill amends the internal auditing statutes to require each state agency that receives an appropriation to have an internal auditor; to allow the internal auditor to report to the administrator of a state agency if the state agency does not have a governing board; and to require each state agency to include the Sunset Advisory Commission in the distribution list of each internal audit report submitted to the state agency’s governing board. Effective date: September 1, 2001.

HB 658 Junell, San Angelo Ellis, R. Houston

Relating to the revenues of public institutions of higher education and to the issuance of revenue bonds to fund capital projects at those institutions.

Amends Education Code, Section 51.008 by adding Subsection (h) and 55.16; adds Sections 55.1731, 55.1732, 55.1733, 55.1734, 55.1735, 55.1736, 55.1737, 55.1738, 55.1739, 55.17391, and 55.17392. The amendment to Chapter 51 is to clarify that tuition and fees which are named general revenue dedicated are to be treated as designated funds in the general revenue fund for purposes of pledging those revenues to secure and pay bonds issued or incurred by the governing board.

The bill authorizes the board of regents to pledge and use any revenue or money under the board’s control to secure or pay obligations under this chapter or other law unless expressly provided by law that specified money under the control of the board is not considered revenue funds. The board is authorized to fix each rental, rate, charge, or fee in an amount the board determines necessary to pay or provide, for each activity or service for which the rental, rate, charge, or fee is imposed. The bill contains nonamendatory language that states that all acts and proceedings of each board, relating to the establishment and collection of rates, rentals, charges, and fees are validated as of the dates they occurred. This provision would not impact any proceeding currently in litigation or that has been held invalid by a final judgment of a court.

The bill authorizes the board of regents of Texas Tech University System to use the systemwide revenue financing program to issue tuition revenue bonds in the following amounts for the following projects:

- Texas Tech University, $23,647,000 to construct an experimental science research facility and
- Texas Tech University Health Sciences Center, $66,882,525 to construct a clinical and research facility in the city of Lubbock and to construct facilities to support the center’s educational programs in the city of El Paso

Effective date: September 1, 2001.

HB 678 McCall, Plano Duncan, Lubbock

Relating to collection and use of biometric identifiers; providing a civil penalty.

Amends Business and Commerce Code by adding Section 35.50 and Government Code by adding Chapter 559. This bill prohibits a governmental body from disclosing a biometric identifier which is defined to include a retina or iris scan, fingerprint, voiceprint, or record of hand or face geometry without the consent of the individual unless the disclosure is required or permitted by federal statute or by a state statute, or the disclosure is made by or to a law enforcement agency for a law enforcement purpose. Effective date: September 1, 2001.

HB 704 Delisi, Temple Shapiro, Addison

Relating to Careers to Classrooms Program.

Amends Education Code by adding Sections 21.601—21.611. This bill requires the Texas Education Agency to establish a program to assist persons in
obtaining state certification as an elementary or secondary school teacher or educational aide and to facilitate their employment in Texas school districts. Participants are required to have a degree from an institution of higher education. The agency is required to pay to the participant a stipend equal to the lesser of $5,000 or an amount equal to the total federally-defined cost of attendance at an institution of higher education. Effective date: September 1, 2001.

HB 753 Hochberg, Houston Ellis, R. Houston

Relating to the degree-granting authority of the University of Texas M.D. Anderson Cancer Center.

Summary: Amends Education Code, Section 73.102 by adding Subsection (c). This bill allows UT M.D. Anderson to jointly offer master’s and doctoral level programs with the UTHSC at Houston Graduate School of Biomedical Sciences. Effective date: May 11, 2001.

HB 757 Coleman, Houston Bernsen, Beaumont

Relating to the establishment of a task force to eliminate health and health access disparities in Texas.

Summary: Amends Health and Safety Code by adding Chapter 107. This bill establishes a nine member task force appointed by the Governor, Lt. Governor, and Speaker of the House. The bill requires that the members of the task force represent both urban and rural areas of Texas. The task force is charged with investigating, developing strategies, monitoring the progress, and reorienting existing programs related to health and health access disparities. Effective date: September 1, 2001.

HB 819 Counts, Knox City Duncan, Lubbock

Relating to transfer of the Office of Rural Affairs to the Department of Agriculture.

Summary: Transfers Government Code, Section 481.0067 to Agriculture Code, Section 12.038. This bill moves the Office of Rural Affairs from the Department of Economic Development to the Department of Agriculture. Effective date: September 1, 2001.

HB 834 Flores, Mission Carona, Dallas

Relating to sale of surplus of salvage state property.

Summary: Amends Government Code, Sections 403.271(a) and 2155.084(c); Chapter 2175, Subchapter C and D. This bill amends the statute relating to state agencies disposal of surplus or salvage property. The bill requires state agencies to notify the comptroller who in turn is required to post notice on the comptroller’s website of the availability of surplus or salvage property. If the property is not disposed of in this manner, the General Services Commission is given the additional authority to sell directly to the public including the use of an Internet auction site. This bill does not amend the current exemption for institutions of higher education from the General Services Commission requirements relating to surplus or salvage property. Effective date: September 1, 2001.

HB 877 Flores, Mission Barrientos, Austin

Relating to the benefits provided to the surviving spouse and minor children of certain public employees killed in the line of duty.

Summary: Amends Government Code, Sections 615.021(a), 615.022, 615.042(c), 615.043 and 615.044(a); adds Sections 615.0225 and 615.121; repeals Sections 615.023, 615.024, and 615.025. These amendments provide additional educational benefits for the surviving spouse or surviving child of certain public employees killed in the line of duty. The eligible survivor who enrolls as a full-time student at an institution of higher education will be exempt from tuition and fees at the institution until the student receives a bachelor’s degree or 200 hours of course credit, whichever occurs first. The institution is required to provide housing and the cost of the student’s textbooks using the general revenue appropriated to the institution. Effective date: September 1, 2001.

HB 910 Gutierrez, McAllen Lucio, Brownsville

Relating to the establishment of the Texas A&M University System Health Science Center South Texas Center for Rural Public Health.
HB 915 Gray, Galveston
Moncrief, Fort Worth

Summary: Amends Education Code by adding Sections 86.981-86.988. This bill authorizes the Texas A&M University System Health Science Center to establish a South Texas Center for Rural Public Health. The center will provide public health graduate education or other levels of health education in the area served by the center in connection with any component institution of the Texas A&M System. Effective date: September 1, 2001.

HB 927 Hill, Richardson
Bivins, Amarillo

Summary: Relating to certain required reports by disability retirees in the Teacher Retirement System of Texas.

HB 964 Dunnam, Waco
Van de Putte, San Antonio

Summary: Repeals Government Code, Section 824.306. This bill eliminates the annual reporting by a disability retiree who is certified to be permanently and totally disabled by the medical board. Effective date: September 1, 2001.

HB 1011 Swinford, Dumas
Bivins, Amarillo

Summary: NEW LAW. This bill directs the board of regents of the Texas State Technical College System to transfer the former campus in Amarillo to the board of regents of Amarillo College. Effective date: June 11, 2001.

HB 1018 Hardcastle, Vernon
Haywood, Wichita Falls

Summary: Relating to certain applicants applying for a license to practice medicine.

HB 1023 Brown, F. Bryan

Summary: Relating to recreational sports fees charged at institutions in the Texas A&M University System.
HB 1024 Brown, F. Bryan
Ogden, College Station

Relating to student center complex fees charged at institutions in the Texas A&M University system.

Summary: Amends Education Code, Section 54.521. This bill authorizes the board of regents of the Texas A&M University System to increase the present cap on the student center complex fees at institutions in the system. The fee can be increased from $40 per student for each semester to an amount not to exceed $100 per student for a regular semester and from $20 per student to an amount not to exceed $50 for each term of the summer session. The bill does contain an amendment requiring approval of any increase of the fee by a majority vote of the students at the affected institution. Effective date: June 14, 2001.

HB 1056 Gallego, Alpine Shapleigh, El Paso

Relating to the composition of the general investigating committee of the House of Representatives and to certain records of a legislative investigating committee.

Summary: Amends Government Code, Sections 301.017(c), 301.018(d), and 301.020. These amendments establish the minimum size of the House General Investigating Committee at five members. Information in the custody of the committee that if held by a law enforcement agency or prosecutor is excepted from the Public Information Act and deemed confidential and not subject to public disclosure by the committee. Effective date: September 1, 2001.

HB 1066 Uher, Bay City Jackson, Pasadena

Relating to health benefits coverage of certain grandchildren.

Summary: Amends Insurance Code, Article 3.51-6, Sections 1(b) and 3E(b); Article 3.70-2, Sections 2(A) and 2(L); Article 20A.09, Section 9(k). These amendments require certain insurance policies and health maintenance organization contracts delivered in this state to allow for coverage of a grandchild of an employee or member who is a dependent of the employee or member, regardless of whether the employee treats the grandchild as a dependent for federal income tax purposes. Effective date: September 1, 2001.

HB 1099 Chisum, Pampa Carona, Dallas

Relating to regulation of radioactive materials and other sources of radiation.

Summary: Amends Health and Safety Code, Sections 401.003(17), 401.018, 401.110, 401.301, 401.305, 401.381(a), 401.385, 401.388, and 401.430. These amendments require a licensee to demonstrate to the department that the licensee is financially qualified to conduct the regulated activities regarding radioactive materials. The amendments include a specific provision regarding routine inspections, as opposed to the current requirement for annual inspections, for mammography systems. Effective date: September 1, 2001.

HB 1124 Turner, B. Coleman Moncrief, Fort Worth

Relating to establishing a community healthcare awareness and mentoring program for students.

Summary: Amends Health and Safety Code by adding Sections 106.251—106.254. This bill requires the executive committee of the Center for Rural Health Initiatives to establish a community healthcare awareness and mentoring program for high school students interested in healthcare professional careers. The bill does provide an extensive definition of healthcare professionals. The programs will be available in rural and underserved urban areas, as defined. The executive committee is required to develop and implement a grant program to support employment opportunities for students participating in training or educational programs to become health care professionals subject to the availability of funds. In order to qualify for a grant from the center, a student must be enrolled.
or intend to be enrolled in a training or educational program to become a healthcare professional and commit to practice after licensure for at least one year as a healthcare professional in a rural or underserved urban area. Effective date: September 1, 2001.

HB 1127 Rangel, Kingsville Bivins, Amarillo

Relating to procedures governing employment contracts for faculty members at public institutions of higher education.

Summary:
Amends Education Code by adding Section 51.943. The bill does define a faculty member as a person who is employed full-time by an institution of higher education as a member of the institution's faculty whose primary duties include teaching or research, but does not include those engaged in managerial or supervisory activities. Except for tenure or tenure-track faculty, the institution is required to offer a written contract to a faculty member thirty days prior to the first day of the academic year. With regard to tenure or tenure-track faculty, the institution is required to provide any written notification required in the institution’s tenure policy of a change in a term of employment according to the policies of the institution not later than thirty days prior to the change. A procedure is established for an institution that is unable to comply with the written contract requirement which includes written notice to the faculty member of why the institution cannot comply. Effective date: January 1, 2002.

HB 1130 Rangel, Kingsville Barrientos, Austin

Relating to the exemption of certain educational aides from the payment of tuition and fees at institutions of higher education and to the employment of those aides.

Summary:
Amends Education Code, Sections 21.050(c) and 54.214. This bill reduces the eligibility requirements for an exemption from tuition and fees for students enrolled in courses required for teacher certification who have also been employed as an educational aide for at least one school year during the five years preceding the semester. The bill eliminates the present requirement that the student be presently employed as an educational aide and the requirement to have at least two years of experience. The bill also requires the governing board of an institution of higher education to establish a plan to make courses more accessible to educational aides who seek teacher certification. The first plan must be prepared by January, 2002. Effective date: May 14, 2001.

HB 1144 Grusendorf, Arlington Harris, Arlington

Relating to public school accountability and to measures to improve proficiency in certain subjects.

Summary:
Amends Education Code, Sections 28.025, 39.023, 39.051, 39.053, 39.131, and 39.182; adds Sections 7.006, 7.058, 7.059, 21.0482, 21.411, 21.454, 21.455, 28.007, 29.087, 39.055, and 39.0721. One new section requires the Commissioner of Education and the Commissioner of Higher Education to ensure that records relating to student performance held by the Texas Education Agency and the Coordinating Board are coordinated and maintained in standardized, compatible formats that permit the exchange of information between agencies and the matching of individual student records so that a student’s academic performance may be assessed throughout the student’s educational career.

This bill makes the recommended or advanced high school program the default curriculum unless the student, the student's parent, and a school counselor or a school administrator agree that the student should be permitted to take the minimum high school program. This applies to students entering the ninth grade in the 2004-2005 school year and thereafter.

The Commissioner of Education is directed to award a grant to one or more institutions that have demonstrated an ability to conduct science-based research on effective instructional strategies that improve student performance in mathematics. The bill also establishes a master mathematics teacher certification and a master mathematics teacher grant program. Effective date: September 1, 2001.

HB 1187 Olivo, Missouri City Zaffirini, Laredo

Relating to the Parents as Scholars pilot program for certain recipients of temporary assistance for needy families.

Summary:
Amends Human Resources Code by adding Sections 31.071—31.081; repeals Section 31.045. This bill requires the Texas Workforce Commission to establish a new Parent as Scholars pilot program with different eligibility
criteria that allows program participants to fulfill the work or employment activities required for financial assistance by engaging in educational activities designed to result in a postsecondary degree. The program is limited to 100 participants. Effective date: September 1, 2001.

HB 1203  Brimer, Fort Worth Fraser, Horseshoe Bay

Relating to the purchase of certain insurance coverage by state agencies and to workers’ compensation insurance benefits provided by certain state agencies.

Summary: Amends Labor Code, Sections 412.011, 412.012, 412.021(a), 412.022(b), 412.041, 412.042(a) and (b), 412.051 and 412.053(b); adds Sections 412.0111, 412.0121, 412.0122, 412.0123, and 505.060; amends Insurance Code by adding Article 21.49-15A; amends Government Code, Sections 653.002—653.005 and adds Section 653.012. For those state agencies subject to the oversight of the State Office of Risk Management, these amendments make SORM responsible for purchasing insurance services obtained by those state agencies, including the purchase of insurance coverage for any line of insurance other than health or life insurance. Texas Tech System, UT System, Texas A&M System, and Texas Department of Transportation will be allowed to continue to purchase insurance services for their respective agencies. But every insurance company will be required to report to SORM the intended sale of any insurance policy to any state agency thirty days before the date the sale of the insurance coverage is scheduled to occur.

Notwithstanding any other law that authorizes a state agency to purchase a surety bond on behalf of a state officer or employee, the agency will only be allowed to purchase a surety bond if required by the constitution or by federal law or regulation, required by court order, or approved by the SORM. The office will only approve the purchase of a surety bond if the office finds that the bond is warranted by a substantial or unusual risk of loss or the office determines that the purchase of the bond is necessary to protect the interests of the state.

Insurance companies will be required to comply with the reporting requirements for policies issued or renewed on or after January 1, 2002. Effective date: September 1, 2001.

HB 1212  Dunnam, Waco Fraser, Horseshoe Bay

Relating to installment payments of tuition and fees by a student enrolled for a summer session at a public institution of higher education.

Summary: Amends Education Code, Sections 54.007. This bill provides for installment tuition and fee payments for a twelve-week summer term and a sixteen-week summer term. Effective date: May 4, 2001.

HB 1309  Villarreal, San Antonio Shapleigh, El Paso

Relating to requirements applicable to child-care workers who receive scholarships funded by the federal Child Care Development Fund.

Summary: Amends Labor Code, Section 302.006. This bill requires child-care workers who receive scholarships funded by this program to agree to work for at least eighteen additional months in a child-care facility that accepts federal Child Care Development Fund subsidies. Effective date: September 1, 2001.

HB 1333  Junell, San Angelo Ellis, R. Houston

Relating to making emergency appropriations.

Summary: This is the emergency appropriations bill for fiscal year 2001. Effective date: June 13, 2001.

HB 1359  Villarreal, San Antonio Shapleigh, El Paso

Relating to the transfer of course credit between public institutions of higher education.

Summary: Amends Education Code, Section 61.823 and adds Sections 61.830 and 61.831. This bill requires the Coordinating Board to develop the field of study curriculum for not fewer than ten high-demand degree programs before January 1, 2002 and the field of study curriculum for an additional five high-demand degree programs before January 1, 2003.

Each institution of higher education will be required to publish guidelines
addressing the institution’s practices regarding the transfer of course credit in its
course catalogs and on its website. The institution must identify a course by
using any common course numbering system adopted by the Coordinating
Board. Effective date: June 14, 2001.

HB 1387 Dukes, Austin
Barrientos, Austin

Relating to the application of the higher education uniform admission policy to
graduates of certain special high school programs.

Summary:
Amends Education Code by adding Section 51.8045. This bill authorizes school
districts to treat high schools which have high school magnet programs,
academies, or other special programs as an independent high school with its
own graduating class separate from the graduating class of the other students
attending the high school if certain criteria are met. This allows the high school
to have two top 10% groups for purposes of the automatic admission to college.
Effective date: June 15, 2001.

HB 1403 Noriega, Houston
Van de Putte, San Antonio

Relating to the eligibility of certain persons to qualify as residents of this state
for purposes of higher education tuition or to pay tuition at the rate provided to
residents of this state.

Summary:
Amends Education Code, Sections 54.051(m), 54.052, 54.057(a), and
54.060(b); adds Section 54.0551. This bill enables students regardless of their
citizenship or immigration status who have resided in this state with the
student's parent, guardian, or conservator for at least three years while the
student attended and graduated from a public or private high school to qualify
for resident tuition. The student must provide the institution an affidavit stating
that the individual will file an application to become a permanent resident at the
earliest opportunity. This amendment applies only to admissions starting the
Fall, 2001.

One amendment entitles a student to resident tuition if the student and one of the
student’s parents have moved from the state, but the other parent continues to
reside in this state and is not delinquent on the payment of any child support.

This bill also expands the exemption from nonresident tuition for students from
Mexico who register in The University of Texas at San Antonio. Effective date:

HB 1440 Averitt, Waco
Sibley Waco

Relating to the eligibility of certain children for certain health benefit coverage.

Summary:
Amends Insurance Code, Articles 3.51-6, 3.70-2, 3.77, 3.95-4.2, 20A.09, 21.24-
2, and 26.84. This bill amends various sections of the Insurance Code to
provide that individual or group health benefit coverage for children of
policyholders extends to children under 25 years of age. A health benefit plan
may not condition coverage for a child younger than 25 years of age on the child
being enrolled at an educational institution. The bill changes the age of full-
time students that may be covered as dependents from under 21 years of age to
25 years of age. A health insurance policy that provides coverage for a child of
the policyholder must provide coverage for any unmarried grandchild of the
policyholder if the grandchild is under 25 years of age and is claimed as a
dependent by the policyholder for federal income tax purposes at the time
application for coverage of the grandchild is made. This Act will apply to any
policy, plan, contract, or evidence of coverage delivered, issued, or renewed on

HB 1465 Kitchen, Austin
Barrientos, Austin

Relating to a pilot project for reduced tuition rates at certain public junior
colleges.

Summary:
Amends Education Code by adding Section 130.0033. This bill directs the
Coordinating Board to establish a pilot project to measure the impact of
reducing tuition for junior college courses offered at times of low enrollment
demand in order to promote greater access. A governing board of a public
junior college district selected for the pilot project may charge a tuition rate less
than required in Section 54.051 if the governing board finds that the reduced
tuition rate is reasonably necessary to enable the junior college to make efficient
use of its facilities or faculty. Charging the reduced tuition rate will not affect
the right of the junior college to a proportionate share of the state appropriations
for the contact hours attributable to the students paying reduced tuition.
Effective date: September 1, 2001.
HB 1467  Maxey,  Austin
Barrientos,  Austin

Relating to the amount of tuition that a public junior college may set aside for Texas Public Education Grants.

Summary: Amends Education Code Section 56.033(a). Current law requires a community college to set aside 6% of each resident student's hourly tuition charge for TPEGs. These amendments allow the community college to set aside not less than 6% nor more than 20%. Effective date: May 26, 2001.

HB 1475  Kitchen,  Austin
Ellis, R.  Houston

Relating to master technology teacher certification, grants, and stipends.

Summary: Amends Education Code by adding Sections 21.411 and 21.0482; amends Government Code, Section 822.201(b). This bill allows the Commissioner of Education to establish a master technology teacher grant program to encourage teachers to become certified as master technology teachers and to work with other teachers and students to increase the use of technology in the classroom. The bill also requires the State Board of Educator Certification to establish a master technology teacher certificate. Effective date: June 16, 2001.

HB 1545  Uher,  Bay City
Bivins,  Amarillo

Relating to the operation, regulation, administration, and financing of public institutions of higher education.

Summary: Amends Education Code, Sections 51.9335, 66.08(h), 74.103, 74.153, and 103.11; adds Sections 51.961, 51.962, 51.963, 51.964, 51.965, 51.967, and 54.5011; amends Government Code, Sections 2155.067(b), 2155.268(a), 658.001, 659.002(b), 661.062(a), 659.202, 822.201(b), and 2056.001; adds Sections 497.0211, 659.205, 661.915, 2251.026(g), 2166.101(f), and 2167.005(e). Repeals Government Code, Sections 2155.133, 2155.134, and 2155.135. Repeals Education Code, Section 54.010 as added by Chapter 1558, 76th Legislature. These amendments allow the general academic institutions to procure goods and services in the same manner as the health related institutions. In essence, institutions of higher education will be exempt from the requirements of the General Services Commission for purchasing of goods and services, automated information systems, leases for real property, and telecommunications services. The amendments also allow university hospitals and clinics flexibility in scheduling health care staff by authorizing the accumulation of sick, holiday, and vacation leave into a “paid leave” system. These amendments give the universities the same powers that other state agencies have to recover costs of accepting payments by credit cards; allow universities to forgo the payment of minor amounts of interest ($5 or less) to vendors if the purchase was made with institutional funds; allow merit increases for employees of higher education; allow employees who work in excess of forty hours per week to be paid for it; remove salary limitations on rehiring of retired employees; allow institutions to notify employees of certain matters by e-mail; allow employees leaving employment to be paid at the time of separation for accrued leave; allow employees to make payroll deductions for services received from the institution; allow the governing board to purchase insurance; eliminates the requirement for separate university strategic plans, and eliminates the statute of limitations in a legal action to recover an educational debt owed to an institution of higher education.

The repealed section of the Education Code eliminates the mandatory language regarding the proration of fees. Effective date: September 1, 2001.

HB 1575  Junell,  San Angelo
Duncan,  Lubbock

Relating to student loan repayment assistance for certain dental hygienists.

Summary: Amends Education Code by adding Sections 61.9401—61.9410. This bill establishes a loan repayment program for dental hygienists that will be funded by a 2% set aside of tuition charges for resident students enrolled in dental hygiene programs. Effective date: September 1, 2001.

HB 1640  Rangel,  Kingsville
Truan,  Corpus Christi

Relating to the establishment of a school of pharmacy at Texas A&M University—Kingsville.

Summary: Amends Education Code by adding Section 87.303. This bill allows the board of regents of Texas A&M University System to establish a school of pharmacy at Texas A&M University—Kingsville. Effective date: May 24, 2001.
HB 1641  Rangel, Kingsville  Barrientos, Austin

Relating to providing certain students with an equal opportunity to enroll in or receive a competitive scholarship for a graduate or professional degree program.

Summary: Amends Education Code by adding Sections 51.821—51.823. This bill affects admissions to graduate programs leading to a master’s or doctoral degrees and professional programs including degree programs required for licensure as an attorney, doctor of medicine or osteopathy, dentist, architect, or pharmacist. The bill allows a general academic teaching institution or a medical or dental unit to consider a list of factors in making an admissions or scholarship decision that include the applicant’s academic record in high school and undergraduate school, socioeconomic background of the applicant, whether the applicant is a first generation student, whether the applicant has multilingual proficiency, the applicant’s region of residence, the applicant’s involvement in community activities, the applicant’s demonstrated commitment to a particular field of study, whether the applicant was automatically admitted to a general academic teaching institution as an undergraduate student, and the applicant’s personal interview.

The applicant’s performance on a standardized test may not be used as the sole criterion for consideration of the applicant or as the primary criterion to end consideration of the applicant.

If the applicant’s performance on a standardized test is used, then the school should do a comparison with other applicants from similar socioeconomic backgrounds to the extent that those backgrounds can be determined. This will not apply to a standardized test used to measure the English language proficiency of a student who is a graduate of a foreign institution of higher education.

The institution or the medical and dental unit may not assign a specific weight to any one factor being considered in the admissions or competitive scholarship process.

The institution is required to publish in the catalog of the institution a description of factors to be considered. The Coordinating Board may adopt rules relating to this new section. This section applies to admissions beginning with the 2002-2003 academic year. Effective date: June 15, 2001.

HB 1645  Delisi, Temple  Nelson, Flower Mound

Relating to the use of certain transferred freshman-level credit courses to satisfy the requirements of the Texas Academic Skills Program.

Summary: Amends Education Code, Section 51.306(x). This bill creates an exemption from the TASP requirements for transfer students who have earned a grade of “B” or better in a transferred freshman-level credit course included in the list of courses established by the Coordinating Board. The course may have been taken at an accredited private or independent institution of higher education or at an out of state institution of higher education. The transfer student who has not earned a grade of “B” or better in a course in each skill area is subject to the requirements of the TASP for any skill area in which the requisite grade was not earned. Effective date: June 14, 2001.

HB 1671  Hochberg, Houston  Ellis, R. Houston

Relating to the names of certain entities within the University of Texas System.

Summary: Amends Education Code, Section 65.02 by renaming the UT School of Allied Health Sciences at Houston as the UT School of Health Information Sciences at Houston. Effective date: September 1, 2001.

HB 1685  Rangel, Kingsville  Bivins, Amarillo

Relating to a partnership or affiliation between certain entities and a general academic teaching institution or a medical and dental unit.

Summary: Amends Education Code, Section 61.055. Prior to establishing a partnership or affiliation between a general academic teaching institution or medical and dental unit within a governing board’s control and any other entity to offer or conduct courses for academic credit or to offer or operate a degree program, a governing board will be required to determine that the partnership or affiliation is consistent with the role and mission established for the institution or unit, in accordance with the degree programs authorized to be offered by the institution, and consistent with the role and mission of the university system; or the
partnership or affiliation is approved by the Coordinating Board; or the partnership or affiliation is established to secure or provide clinical or other similar practical educational experience in connection with a course or degree program authorized to be offered by the institution. Effective date: June 17, 2001.

HB 1691  Ehrhardt, Dallas  Madla, San Antonio

Relating to the Texas Council on Purchasing from People with Disabilities.

Summary: Amends Human Resources Code, Chapter 122. These amendments contain a new section requiring each state agency that purchases products or services through a program under this chapter to designate an agency employee to ensure that the agency complies with this chapter and to report to the General Services Commission and to the council the purchase of products or services available through a program under this chapter, but purchased from another business that is not a central nonprofit agency or community rehabilitation program. The General Services Commission is required to post these reports on the commission’s website. Effective date: September 1, 2001.

HB 1716  Puente, San Antonio  Van de Putte, San Antonio

Relating to the establishment and operation of the San Antonio Life Sciences Institute in the University of Texas System.

Summary: Amends Education Code by adding Sections 75.201—75.204. This bill allows the UT System Board of Regents to establish and maintain the San Antonio Life Sciences Institute as a joint partnership of the UTHSC at San Antonio and UT at San Antonio. The institute is directed to develop joint degree programs and joint research programs for the health science center and the university. The administration of the institute is under the direction of the chancellor of the UT System and the board of regents through the presidents of the health science center and the university. The institute is directed to retain all indirect costs received or recovered under a grant or contract. Effective date: September 1, 2001.

HB 1721  Martinez Fischer, San Antonio  Van de Putte, San Antonio

Relating to certification examinations for educators certified in other jurisdictions.

Summary: Amends Education Code, Section 21.052(a). This bill allows the State Board for Educator Certification to issue a certificate to an educator who holds a certificate or other credential issued by another state or country, provided that the educator performed satisfactorily on an examination similar to and at least as rigorous as the test administered in Texas. Effective date: June 16, 2001.

HB 1753  Gutierrez, McAllen  Zaffirini, Laredo

Relating to authorizing the University of Texas—Pan American to establish an upper-division extension campus in Rio Grande City and to enter into a partnership agreement with a junior college district for lower-division courses.

Summary: Amends Education Code, Section 77.12. This bill authorizes UT—Pan American to enter into a partnership agreement with the South Texas Community College District to offer the lower-division courses required for students enrolled in a baccalaureate degree program at the university. The university may establish an extension campus at Rio Grande City to offer upper-division courses. The Coordinating Board is required to prepare an impact statement examining the initial implementation of this Act before May 31, 2002. Effective date: May 4, 2001.

HB 1755  Gutierrez, McAllen  Staples, Palestine

Relating to action by certain occupational regulatory agencies against certain recipients of student financial assistance.

Summary: Amends Occupations Code by adding Chapter 56. This bill allows the Texas Board of Chiropractic Examiners, State Board of Dental Examiners, State Board of Podiatric Medical Examiners, and State Board of Medical Examiners to deny a person’s application for a license or license renewal, suspend the person’s license, or take other disciplinary action against the person if the board is properly notified that the applicant has defaulted on a student loan or has breached a student loan repayment contract. Effective date: June 11, 2001.
HB 1799  Villarreal,  
San Antonio  
Shapleigh,  
El Paso  
Relating to long-range planning for higher education.  
Summary:  
Amends Education Code by adding Section 61.051(i).  This bill requires the Coordinating Board to develop and periodically revise a long-range statewide plan regarding higher education and the future needs of each region of the state. The plan should review the geographic distribution of programs, the projected population growth, distance from other educational resources, economic trends, and other factors impacting the need for higher education services in an area. The board is directed to identify as specifically as practicable the programs or fields of study for which an area has or is projected to have a significant unmet need for services. The board is required to have specific recommendations for administrative or legislative action to address an area’s unmet need for higher education services as efficiently as possible. The plan will be required to be delivered by November 1 of each even-numbered year to the Governor and the legislature. Effective date: May 25, 2001.

HB 1839  Junell,  
San Angelo  
Ellis, R.  
Houston  
Relating to research and excellence funding at certain institutions of higher education.  
Summary:  
Amends Education Code, Sections 62.025 and 62.026 and adds Sections 62.051—62.057 and 62.071—62.077. This bill establishes the Texas Excellence Fund which will consist of an amount of money equal to the earnings of the HEF endowment fund in the previous fiscal year. Eighty percent of the amount appropriated will be available to eligible comprehensive HEF universities which are defined as those universities offering a full range of baccalaureate and graduate programs; awarding 45 or more doctor of philosophy degrees in the fields of science, agricultural science, engineering, and clinical and experimental psychology, and expending at least $15 million in restricted research funds as reported in the institution’s annual financial report for the applicable year. Twenty percent will be available to all other general academic teaching institutions that participate in the HEF fund. Each of the allocations will be based upon the institution’s proportional amount of restricted research funds as reported in the annual financial report. The allocation for the first biennium is included in the bill.

The bill also establishes the University Research Fund for the component institutions of the University of Texas System and the Texas A&M University System other than UT at Austin, Texas A&M University, or Prairie View A&M University. The legislature is directed to appropriate to the University Research Fund an amount equal to the amount deposited to the credit of the Texas Excellence Fund. The allocation of the University Research Fund is based upon restricted research expenditures, doctoral degrees awarded, masters degrees awarded, and a set allocation to each institution.

Each institution of higher education participating in either the Texas Excellence Fund or the University Research Fund is required to prepare a report at the end of the fiscal year describing the manner in which the institution used the money. The report is due to the Coordinating Board and the Legislative Budget Board not later than December 1 after the end of the fiscal year.

The allocation formulas for both funds expires August 31, 2005 and will require legislative review and authorization for future allocations.

The bill requires the Lt. Governor and the Speaker of the House to appoint a joint committee composed of five members of the Senate and five members of the House to conduct a study to examine the feasibility of creating a single research enhancement fund, examine how institutions have historically utilized “excellence funds,” and to consider whether a portion of the annual distribution from the permanent university fund to the available university fund should be appropriated or made available to the other institutions of the UT System other than UT at Austin. The committee is directed to report not later than December 1, 2002.

The total amount of the corpus of each fund will eventually be capped at $50 million per year. Effective date: September 1, 2001.

HB 1840  Junell,  
San Angelo  
Ellis, R.  
Houston  
Relating to authorizing the comptroller to waive penalties and interest relating to the delivery of certain delinquent unclaimed property.
HB 1862 Eiland, Galveston
Van de Putte, San Antonio

Summary: Amends Property Code, Section 74.707. This bill allows the comptroller to waive penalty and interest imposed on delinquent property if the holder delivering the property was required to deliver the property on or before November 1, 1997. Effective date: May 16, 2001.

HB 1922 McCall, Plano
Duncan, Lubbock

Summary: Amends Insurance Code, Article 3.70-3c, Section 20A.18B, Chapter 20A, and Article 21.53Q; adds Article 21.52K. This bill establishes a standardized clean claim form for health care providers and sets forth provisions for the receipt of a claim by a health care provider. The bill prohibits an insurer and health maintenance organization from requiring the use of a dispute resolution procedure in certain cases. This bill sets forth criteria relating to pre-authorizations and pre-certifications. The bill further provides amendments to the unfair insurance business practice sections. Effective date: June 17, 2001 Vetoed by the Governor.

HB 1927 Geren, River Oaks
Harris, Arlington

Summary: Amends Government Code by adding Chapter 559. This bill requires each state governmental body that collects information about an individual by means of a form that the individual completes and files with the governmental body in a paper format or in an electronic format on an Internet site to prominently state that with few exceptions the individual is entitled to request to be informed about the information that the state governmental body collects about the individual, is entitled to receive and review the information, and is entitled to have the state governmental body correct information about the individual that is incorrect. The bill also creates a privacy task force to study issues related to the information practices of state government that affect personal privacy. The Lt. Governor and the Speaker of the House are entitled to each appoint seven members to the task force. Each state governmental body is required to be in compliance with the requirements of the privacy policy by January 1, 2002. Effective date: September 1, 2001.

HB 1938 Solis, J. Harlingen
Bivins, Amarillo

Summary: Amends Health and Safety Code by adding Sections 161.401—161.407. This bill defines public building as any building used or to be used for purposes that provide for public access or occupancy. The bill requires the board of health to adopt rules designating the materials or replacement parts for which a person must obtain a material safety data sheet before installing the materials or parts in a public building. A person may not install materials or replacement parts in a public building if the person does not obtain a required materials safety data sheet, or the materials or parts, according to the material data sheet, contain more than one percent asbestos and there is an alternative materials or part. The bill establishes injunctive and civil penalties. Effective date: September 1, 2001.

HB 1941 Delisi, Temple
Truan, Corpus Christi

Summary: Amends Education Code, Section 53.47. This bill provides new definitions for accredited institutions, cost of attendance, alternative education loan, guaranteed student loan, qualified alternative education loan lender, and qualified nonprofit corporation. This bill limits the authority for making education loans to qualified Texas nonprofit corporations that have already established a record of servicing loans under the Higher Education Authority Act. Effective date: June 16, 2001.

HB 1941 Delisi, Temple
Truan, Corpus Christi

Summary: Amends Education Code, Section 54.058(d). This bill reduces the present requirement of a twelve-month residency by a member of the Armed Forces.
This bill allows a spouse or dependent child of a member of the Armed Forces who has previously resided in Texas for a six-month period to be entitled to pay resident tuition and fees. Effective date: June 11, 2001.

HB 2008 Naishat, Austin
Moncrief, Fort Worth

Relating to indoor air quality in buildings owned or leased by state or local government.

Summary:
Amends Health and Safety Code, Chapter 385. This bill defines government building as a building owned, or leased for a term of at least three months by a governmental entity and is regularly open to members of the public, or used by the state. This bill requires the Board of Health to establish voluntary guidelines for indoor air quality in government buildings, including guidelines for ventilation and indoor air pollution control systems. Effective date: September 1, 2001.

HB 2054 Coleman, Houston
Ellis, R. Houston

Relating to the mission of Texas Southern University.

Summary:
Amends Education Code, Section 106.02. This bill redesignates Texas Southern University as a statewide general purpose institution of higher education. Effective date: June 11, 2001.

HB 2065 Eiland, Galvston
Ellis, Houston

Relating to the allocation of certain settlement money awarded to the state to appropriation accounts at the direction of the attorney general with the prior approval of the Legislative Budget Board.

Summary:
Amends Government Code by adding Section 403.037. This bill allows the Attorney General to certify to the Comptroller and the Legislative Budget Board that money awarded to the state in settlement of a claim is to be credited to an account for a particular appropriation if it is not clear under applicable law as to which account the money should be credited. The Legislative Budget Board is allowed to certify that the money is to be credited to a different account for a particular appropriation or that the money should not be credited to any account for a particular appropriation and the comptroller will be directed to act accordingly. Effective date: September 1, 2001.

HB 2071 Junell, San Angelo
Haywood, Wichita Falls

Relating to establishing a billing procedure to ensure that each state agency is billed for the cost of support services allocated to the agency under the statewide cost allocation plan.

Summary:
Amends Government Code, Sections 2106.002(b) and 2106.006. This bill requires that in the statewide cost allocation plan the cost of providing statewide support services to each state agency must be identified, allocated, and a billing procedure established that ensures each state agency is billed for all costs allocated to the agency. The amendments require each state agency to send to the comptroller for deposit to the credit of the general revenue fund the amount of federal money received by the agency for federally reimbursable indirect costs to the extent that the indirect costs are statewide allocated costs for which the agency is billed, any amount the agency has received in fees that were accounted for in the plan, and remaining amounts still necessary to pay the full amount billed. The amendment also allows the comptroller to transfer to the general revenue fund the appropriate difference between the amounts paid by the agency and the unpaid statewide allocated costs for that agency. The only exception to paying the amount of the statewide costs allocation bill for costs allocated to an agency will be action taken by the legislature in the General Appropriations Act that would waive the payment of the amount billed to the extent payment would be made from a state agency’s general revenue appropriation.

This chapter of the Government Code applies to federally reimbursable indirect costs as defined by OMB Circular No. A-87. For institutions of higher education, federally reimbursable indirect costs are defined in OMB Circular No. A-21. Effective date: September 1, 2001.

HB 2109 Farrar, Houston
Ellis, R. Houston

Relating to exempting certain higher education students from the TASP test based on the student’s high school grade point average in college preparatory courses.
HB 2138 Marchant, Carrollton Lindsay, Houston

Summary: Amends Education Code, Section 51.306 by adding Subsection (x). This bill creates an exemption for individuals who graduate from a public or accredited private high school in any state with a grade point average of 3.5 or higher and completed the recommended or advanced high school curriculum or an equivalent curriculum. The student is required to enroll within two years of the date that the student graduated from high school. Effective date: June 15, 2001.

Relating to the confidentiality of the location or sale price of certain real property sold or purchased by the state.

HB 2147 Uher, Bay City Cain, Dallas

Summary: Amends Natural Resources Code by adding Section 11.084 and amends Education Code by adding Section 51.961. This bill exempts from disclosure information relating to the location, purchase price, or sale price of real property purchased or sold by or for the School Land Board, the Veterans’ Land Board, the land office, the Land Commissioner, or an institution of higher education until the formal award of a contract for the purchase or sale of the property is executed. Effective date: September 1, 2001.

Relating to contributions for the governor for a day or speaker’s reunion day ceremony.

HB 2153 Averitt, Waco Sibley, Waco

Summary: Amends Government Code, Sections 303.003(c) and 303.005. This bill increases the cap on contributions for the governor for a day and the speaker’s reunion day ceremony from $100 to $500. Effective date: May 28, 2001.

Relating to the directors and authority of the Texas Public Finance Authority.

HB 2190 Junell, San Angelo Ellis, Houston

Summary: Amends Government Code, Section 1231.023. This bill requires the Bond Review Board to adopt debt issuance policies to guide issuers of state securities and to ensure that state debt is prudently managed. The board shall adopt policies that provide a mechanism for evaluating the amount of state debt that can be managed prudently; address opportunities to consolidate debt authority; include guidelines for appropriate levels of reserves, the types of state securities that should be issued under various circumstances, and the terms or structure of a state security; help the board and issuers of state securities to evaluate the potential risks involved in the issuance and the effect of the issuance on the overall debt position of the issuer and of the state; and recommend other advisable practices related to the issuance of a state security. Effective date: June 11, 2001.

Relating to the establishment of debt issuance policies and guidelines by the Bond Review Board.

HB 2218 Rangel, Kingsville Staples, Palestine

Summary: Amends Education Code, Section 54.5132(a). This bill authorizes the governing board of an institution of higher education, other than UT Austin, to charge each student registered at the institution an international education fee in an amount not less than $1 and not more than $4 for each semester or summer session. The bill does require a majority vote of the students in an election to increase the fee. Effective date: June 15, 2001.

Relating to the amount of the international education fee charged at certain institutions of higher education.

HB 2238 Moreno, J. Jacinto City Gallegos, Galena Park

Summary: Amends Education Code, Section 51.904. This bill applies to institutions of...
higher education in counties having a population of more than 3 million. The amendment requires a forty-five day written notice of the intention to abandon the street or alley and requires negotiations with franchised utility companies for the easements. Effective date: September 1, 2001.

HB 2277 Carter, Fort Worth Fraser, Horseshoe Bay Relating to contracts by certain educational institutions, state agencies, and local governments for energy conservation measures.

Summary: Amends Education Code, Sections 44.901 and 51.927; amends Government Code, Sections 2166.406(b), (e), and (g)-(m); amends Local Government Code, Sections 302.002(b), 302.003—302.005. This bill amends the method of procuring these types of contracts by eliminating the competitive sealed proposal and substituting the procedures for procuring professional services. It also eliminates the consultation and approval of the Texas Energy Coordinating Council of projects proposed for energy conservation contracts. Effective date: September 1, 2001.

HB 2278 Carter, Fort Worth Fraser, Horseshoe Bay Relating to the consolidation and functions of the energy management center and the state energy conservation office and to the transfer of the powers and duties of the center and the office of the comptroller’s office.

Summary: Amends Government Code, Chapter 447, and Sections 2305.002(3), 2305.011, and 2305.022. This bill renames the Energy Management Center as the State Energy Conservation Office. The bill makes all the technical changes to transfer the duties and responsibilities of the center to the Energy Conservation Office. The bill also transfers the center from the administration of the General Services Commission and places it in at the Comptroller’s Office. Effective date: September 1, 2001.

HB 2279 Naishtat, Austin Barrientos, Austin Relating to the exemption from the payment of higher education tuition and fees for certain recipient of Temporary Assistance for Needy Families benefits.

Summary: Amends Education Code, Section 54.212. This bill amends the section regarding the exemption from the payment of tuition and fees for recipients of TANF. The amendment requires that the student enroll in an institution of higher education as an undergraduate student not later than the second anniversary of the date of graduation from a public high school in this state as opposed to the present requirement of the first anniversary. Effective date: June 15, 2001.

HB 2312 Bosse, Houston Cain, Dallas Relating to the resolution of certain contract claims against the state.

Summary: Amends Government Code, Sections 2260.001, 2260.003, and 2260.005. This bill amends the dispute resolution process established last session for contracts for goods and services provided to state agencies or units of state government. This bill amends the definition of contract to exclude any contract that does not include the required contract provision stating that the dispute resolution process used by the unit of state government must comply with this process and will be used to resolve any disputes arising under the contract. The amendments further exclude any contract executed or awarded on or before August 30, 1999. The bill amends the definition of the total amount of money recoverable on a claim to include the amount or fair market value of change orders requested by a unit of state government.

The bill does add new language to state that notwithstanding this new chapter the legislature continues to retain the authority to deny or grant a waiver of immunity to suit against a unit of state government by statute, resolution, or any other means. Effective date: June 17, 2001 Vetoed by the Governor.

HB 2323 Gallego, Alpine Shapleigh, El Paso Relating to repayment assistance for certain law school loans.

Summary: Amends Education Code by adding Sections 61.951—61.958 and Sections 61.9601—61.9609. This bill requires the Coordinating Board to establish two assistance programs for the repayment of law school education loans for attorneys. The first one is for attorneys who are currently practicing in this state as an attorney employed by a qualified nonprofit organization serving indigent individuals. The program is limited to ten years of repayment assistance in an
amount not to exceed 50% of the total amount of the attorney’s outstanding law school loans. The board may accept gifts, grants, and donations to fund this program.

The second assistance program is for attorneys employed by a district or county attorney’s office in a rural county with a population of 50,000 or less. The repayment assistance provided by this program is on a graduated scale ranging from sixty percent for the first year of employment to one hundred percent for the third year of employment. The board is authorized to accept appropriated money, gifts, grants, and donations to fund the program. Effective date: September 1, 2001.

HB 2337  
Goolsby, Dallas  
Shapiro, Addison  
Relating to the practice of landscape architecture.

Summary: Amends V.T.C.S., Article 249c. Under current law, qualified individuals are prohibited from representing themselves as a landscape architect, but they may perform some of the same work as a landscape architect. This bill redefines the term “landscape architecture,” specifies to whom the term does not apply, and sets forth provisions for what design acts a landscape designer or nurseryman or horticulturist is authorized to perform without a certificate of registration as a landscape architect issued by the board. The bill contains a specific provision for persons without a certificate of registration to make plans, drawings, or specifications for residential housing owned and operated by an institution of higher education. Effective date: September 1, 2001.

HB 2344  
Oliveira, Brownsville  
Lucio, Brownsville  
Relating to the number of entering freshman that may enroll at the University of Texas at Brownsville.

Summary: Amends Education Code, Section 78.07. This bill strikes the current language that dictates that in each academic year preceding the 2005-2006 academic year, the number of lower-division students enrolled at UT Brownsville could not exceed 900. Effective date: June 15, 2001.

HB 2349  
Hilderbran, Kerrville  
Fraser, Horseshoe Bay  
Relating to the service areas of certain junior college districts.

Summary: Amends Education Code, Section 130.166. This bill moves the Marble Falls Independent School District from the Austin Community College district service area to the Central Texas College district service area. Effective date: June 16, 2001.

HB 2367  
Williams, The Woodlands  
Bernsen, Beaumont  
Relating to the liability of certain nonprofit organizations and their employees and volunteers.

Summary: Amends Civil Practice and Remedies Code, Section 84.003. This bill expands the definition of charitable organizations to include organizations operated for the purposes of fire protection or prevention, or emergency medical or hazardous material response services in the list of organizations eligible to seek the limitations of liability in certain causes of action. Effective date: September 1, 2001.

HB 2397  
Chavez, El Paso  
Zaffirini, Laredo  
Relating to a study and report concerning the compensation received by part-time and full-time faculty members at public institutions of higher education.

Summary: Amends Education Code by adding Section 61.0816. This bill requires the Coordinating Board to conduct a study and make findings and recommendations that the board considers appropriate regarding any disparity between the salary and benefits received by part-time and full-time faculty members at institutions of higher education. The board is required to submit a written report to the legislature and Governor not later than September 1, 2002. Effective date: September 1, 2001.

HB 2401  
Lewis, R. Mauriceville  
Brown, B. Lake Jackson  
Relating to programs and funding methods that promote water conservation among certain state and local entities.

Summary:
HB 2419  Coleman, Houston  Moncrief, Fort Worth
Relating to charity care requirements for certain hospitals.

Summary: Amends Health and Safety Code, Sections 311.045 and 311.046(d), and adds Section 311.0461. This bill amends the statutes regarding the standards for nonprofit hospitals or hospital systems and the manner in which they calculate the amount of charity care and government-sponsored indigent health care. The amendment also requires each nonprofit hospital to annually publish notice of the hospital’s charity care programs and policies in a local newspaper of general circulation in the county. The Department of Health is required to publish a manual that lists each nonprofit hospital in the state with a brief summary of the charity care policies and community benefit that the hospital provides. Effective date: September 1, 2001.

HB 2421  Hawley, Portland  Madla, San Antonio
Relating to establishing a program to recruit rural medical students for service in rural communities.

Summary: Amends Health and Safety Code by adding Sections 106.251—106.253. This bill allows the Center for Rural Health Initiatives to define a rural community. The bill directs the Center in consultation with the Coordinating Board to select a Texas medical school to recruit medical school students from rural communities and to encourage them to return to rural communities to practice medicine. The bill sets forth the responsibilities of the selected medical school. Effective date: September 1, 2001.

HB 2436  Merritt, Longview  Brown, B. Lake Jackson
Relating to a requirement that the Bureau of Economic Geology of the University of Texas at Austin conduct a study of the East Texas Oil Field.

Summary: Amends Natural Resources Code by adding Sections 85.401—85.405. This bill requires the Bureau of Economic Geology at UT Austin to conduct a study of the East Texas Oil Field for the purpose of making recommendations regarding measures that should be taken to maximize the ultimate recovery of oil and gas from the field. The bureau is required to report not later than January 1, 2003. Effective date: June 17, 2001 Vetoed by the Governor.

HB 2492  Bosse, Houston  Harris, Arlington
Relating to the state employee incentive and productivity program.

Summary: Amends Government Code, Sections 2108.004(c), 2108.023, 2108.023(b), 2108.024, 2108.037, and 2113.107(f). This bill increases the required savings from an employee suggestion from $100 to $500. The bill also eliminates employees temporarily assigned to develop process improvements at the agency from the incentive program. Effective date: September 1, 2001.

HB 2510  Chavez, El Paso  Duncan, Lubbock
Relating to the establishment of a diabetes research center at the Texas Tech University campus in El Paso.

Summary: Amends Education Code by adding Section 110.15. This bill requires the board of regents of the Texas Tech University System to establish the Texas Diabetes Research Center for purposes of researching issues related to diabetes and conditions associated with the disease. The board is directed to select a site for the center at the El Paso campus of Texas Tech University Health Sciences Center. The center is required to be established not later than January 1, 2003. Effective date: June 14, 2001.

HB 2531  Junell, San Angelo  Bivins, Amarillo
Relating to tuition and fees charged at public institutions of higher education.

Summary: Amends Education Code, Sections 54.008, 54.051(c), 54.0512, 54.0513(b),
This bill allows for the incremental increase of state tuition and institutional designated tuition beginning in the 2001-2002 academic year with an annual increase of $2 per semester credit hour. The incremental increases continue for a five year period until tuition reaches $50 per semester credit hour. For billing and catalog purposes, each institution is required to accumulate all tuition charged into one tuition charge.

This bill also authorizes the governing board of an institution of higher education to increase the board authorized graduate or professional tuition at the pharmacy schools and law schools. The governing board may set the graduate or professional pharmacy program tuition at a rate of not more than three times the state rate. The governing board is authorized to set tuition for the law school at a rate that is not more than three times the current $80 per semester credit hour.

The bill makes a technical change to the emergency student loan section that presently requires that the amount of the loan to be not less than the amount of tuition and required fees in which the student is actually enrolling. This change allows a lower loan amount as determined by the institution. Effective date: September 1, 2001.

Amends Education Code, Sections 54.503(b) and (f) and Sections 54.513(i) and (j). This bill authorizes the increase of the student services fee cap for all institutions except components of the University of Houston System from $150 per semester to an amount not to exceed $250. These amendments require that when an institution increases the fee to a dollar amount greater than $150, the increase would not be effective unless the increase is approved by a majority vote of the students voting in an election or a majority vote of the student government at the institution. In subsequent years, an election authorizing a fee increase must be held before the fee can be increased by more than 10% of the fee approved at the last student election. Effective date: June 14, 2001.

Amends Education Code by adding Section 61.088. This bill establishes the Commission on Geriatrics Study Requirement for Medical School which will be composed of one person designated by the president of each institution of higher education that operates a medical school. The commission will serve as an advisory body to the Coordinating Board. The commission is directed to conduct studies and make findings and recommendations to the Coordinating Board regarding the study of geriatrics as a requisite for graduation from a medical school in this state. The commission will be abolished on January 1, 2003. Effective date: September 1, 2001.

Amends Government Code, Sections 2054.092 and 2054.121; adds Sections 2054.063, 2054.127, and 552.136. This bill establishes an exception to the Public Information Act that protects the e-mail address of a member of the public who provides the address for the purpose of communicating electronically with a governmental body unless the member of the public has affirmatively consented to allow the release of the address. The bill requires the Department of Information Resources to adopt a policy that prescribes terms under which a person may use, copy information from, or link to a generally accessible Internet site maintained by a state agency, and protects the personal information of members of the public who access information from or through an Internet site maintained by a state agency. The department is required to post the policy on its Internet site. A state agency is required to post a link to the policy statement on its Internet site.

Institutions of higher education are exempt from the other posting requirements in this bill. Effective date: September 1, 2001.

Relating to the provision of workers’ compensation benefits and to the operation of the workers’ compensation insurance system; providing penalties.
Amends Labor Code, Chapters 401, 403, 408, 410, 411, 412, 413, 415, 501, and 505. This bill allows the Texas Workers' Compensation Commission to develop a new list of eligible physicians to provide medical benefits to injured employees. It requires TWCC to establish training, impairment rating testing, financial interest disclosure, and monitoring requirements for doctors and health care providers who provide services to injured employees. It codifies the role of the medical advisor at TWCC and establishes a Medical Quality Review Panel to give TWCC the medical expertise it needs. The bill requires TWCC to establish regional health care delivery networks with input from labor, business, state agencies, and the TWCC’s medical advisor. The bill also expands notification requirements about return-to-work issues and changes the medical regulation and medical dispute resolution process. The bill addresses the issues relating to an employee with multiple employments.

This bill contains the same language as HB 2976, Dukes, relating to the establishment of an allocation program for the payment of workers’ compensation claims and risk management services that are incurred by a state agency whose workers’ compensation is administered by the State Office of Risk Management. Effective date: June 17, 2001.

Relating to requiring hepatitis C training for registered nurses.

Amends Occupations Code by adding Section 301.304. This bill requires registered nurses to participate in not less than two hours of continuing education relating to hepatitis C. This applies only to a license holder who renews a license on or after June 1, 2002. Effective date: June 15, 2001.

Relating to certain services provided through telemedicine.

Amends Government Code by adding Sections 531.02171 and 531.02172; repeals Section 531.0217(h); amends Utilities Code by adding Section 57.0471. This bill requires the Health and Human Services Commission to establish telemedicine pilot programs under which the commission, in administering government-funded health programs, may reimburse a health care professional participating in telemedicine medical services or telehealth services authorized under the licensing law applicable to the health care professional. The pilot programs must be located not more than 150 miles from the border between Texas and Mexico. The commission is required to establish a telemedicine advisory committee to evaluate policies for telemedical consultations, for telemedical services pilot programs, to ensure the efficient and consistent development and use of telecommunication technology for telemedical consultation and telemedicine medical services reimbursed under government-funded health programs, and to monitor the types of programs receiving reimbursements. The advisory committee will include several individuals including a representative of each health sciences center located in the state. The advisory committee is directed to report to the legislature on the implementation of the pilot programs not later than September 1, 2003.

The bill also adds that a health care facility participating in pilot programs is eligible to receive a grant from the Telecommunications Infrastructure Fund. Effective date: June 13, 2001.

Relating to civil actions involving persons who file complaints with governmental agencies.

Amends Civil Practice and Remedies Code by adding Chapter 138. This bill defines governmental agency as the state or any institution or agency of the state. This new chapter applies only to a claim made a basis of a suit filed against a complainant that is filed on behalf of a person who may be adversely affected by the filing of the complaint and alleges that the contents of the complaint constitutes a basis for relief. The bill states that there is a rebuttable presumption that a complaint is made in good faith and protects the complainant who makes a complaint in good faith from liability from monetary damages arising from the complaint or from being subjected to injunctive or declaratory relief with respect to the complaint. The bill does establish liability for harassing conduct and for bad faith claims. Effective date: June 17, 2001. Vetoed by the Governor.
HB 2766 Delisi, Temple
Ellis, R, Houston

Relating to repayment assistance for certain education loans owed by certain state attorneys.

Summary: Amends Education Code by adding Sections 61.951—61.962. This bill requires the Coordinating Board to establish an educational loan repayment program for student loans for licensed lawyers employed by the office of the attorney general and who have agreed to serve at least three years in the office. The attorney would be entitled to receive assistance for a period not to exceed three years or $6,000. This program will be funded with a one percent set aside of tuition charges for resident students enrolled in the four state law schools. The board could seek additional funds from gifts, grants, and donations. Effective date: September 1, 2001.

HB 2787 Geren, River Oaks
Brown, B, Lake Jackson

Relating to notifying students of institutions of higher education of emissions inspection requirements for certain vehicles and enforcement of vehicle inspection laws by those institutions.

Summary: Amends Education Code, Section 51.207. This bill requires public institutions of higher education that are located in an area in which a motor vehicle registered in that area is required to undergo a vehicle emissions inspection to notify the student prior to issuing a permit to the student to park or drive a motor vehicle on the campus of the requirements for vehicle emissions inspection pursuant to Subchapter F, Chapter 548, Transportation Code. The Department of Public Safety Commission is required to adopt rules providing for the inspection of motor vehicles not registered in this state for these purposes.

For all other public institutions of higher education, the institution may not issue a permit to a student for driving or parking a motor vehicle on institutional property unless the institution provides written notice to the student that failure to register the vehicle in this state or to display a current and appropriate inspection certificate may violate state law if the owner of the vehicle resides in this state.

Each institution of higher education that maintains a campus police force shall adopt procedures for enforcing State of Texas vehicle inspection laws for vehicles parking or driving on the campus of the institution. Effective date: September 1, 2001.

HB 2809 Wolens, Dallas
Cain, Dallas

Relating to statutory revision and statutory construction.

Summary: Amends Government Code by adding Sections 311.033 and 311.034. The first amendment of this bill deals with the interpretation and application of nonsubstantive revisions of statutes during codifications. The next amendment contains a statement that a statute shall not be construed as a waiver of sovereign immunity unless the waiver is affected by clear and unambiguous language. Effective date: June 17, 2001. Vetoed by the Governor.

HB 2812 Wolens, Dallas
Cain, Dallas

Relating to the nonsubstantive additions to and corrections in enacted codes.

Summary: This is an eight hundred and eighty-eight page bill that makes nonsubstantive revisions and corrections in enacted codes, nonsubstantive codification or disposition of various laws omitted from enacted codes, and conforms codification enacted by the 76th Legislature to other acts of that legislature. Effective date: September 1, 2001.

HB 2813 Wolens, Dallas
Cain, Dallas

Relating to the adoption of nonsubstantive revision of statutes relating to the licensing and regulation of certain professions and business practices.

Summary: This bill is a nine hundred and seventy-nine page bill codifying many statutes relating to the licensing and regulation of certain professions including engineering, architecture, land surveying, real property and housing, environmental and industrial trade, water, health and safety. Effective date: June 1, 2003.

HB 2839 Dukes, Austin

Relating to energy efficiency programs developed by the energy office.
Carona, Dallas

Summary: Amends Government Code by adding Sections 2305.101—2305.110. This bill authorizes the state energy conservation office of the comptroller of public accounts to establish energy efficiency programs for residential housing and agricultural equipment. Effective date: June 17, 2001 Vetoed by the Governor.

HB 2840 Telford, De Kalb Staples, Palestine

Relating to a partnership between Texas A&M University-Texarkana and Texarkana College District.

Summary: Amends Education Code, Section 87.571. This bill authorizes Texas A&M University—Texarkana to enter into partnership agreements with Texarkana College District as provided for in the Education Code. Effective date: May 21, 2001.

HB 2844 Lewis, G. Fort Worth Moncrief, Fort Worth

Relating to authorizing the Texas Board of Health to exempt certain projects from rules relating to asbestos abatement.

Summary: Amends V.T.C.S., Article 4477-3a, Section 12. This bill allows the Department of Health to exempt a demolition or renovation project from the department’s rules if the project has received an exemption from the Environmental Protection Agency exempting the project from federal regulations, or the board determines that the project will use methods for abatement or removal of asbestos that provide protection for the public health and safety and the project does not violate federal law. Effective date: June 13, 2001.

HB 2845 Danburg, Houston Cain, Dallas

Relating to the creation of an initiative to promote the commercialization of fuel cell technologies.

Summary: NEW LAW. This bill directs the State Energy Conservation Office to develop a statewide plan for the coordinated acceleration of the commercialization of fuel cell generation in this state. The plan must consider, at a minimum, the use of funds available to the energy office or additional funding from other state, federal, or private sources for programs of research and development; utility-administered incentive funds; market mechanisms that might be created to assure that clean emerging technologies may be compensated for their contribution to the reduction of harmful emission; and tax or other economic incentives. The office is directed to appoint a fuel cell initiative advisory committee to advise the office regarding development of the plan. The office is required to report to the House Energy Resources Committee and the Senate Business and Commerce Committee not later than September 15, 2002. Effective date: September 1, 2001.

HB 2852 Junell, San Angelo Ellis, R. Houston

Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

Summary: This is the biennial claims bill. Effective date: September 1, 2001.

HB 2879 Sadler, Henderson Bivins, Amarillo

Relating to public school finance.

Summary: This bill was used as a vehicle to make appropriations to programs that had not been funded in SB 1. The following appropriations are contained in this bill;

Texas Higher Education Coordinating Board

1. Teach for Texas conditional grants $11 million
2. Joint admission medical program $ 4 million
3. Public awareness campaign promoting higher education $ 5 million

UT at Austin for the Technology Charter School $ 2 million

Effective date: September 1, 2001.

HB 2912 Bosse, Houston

Relating to the continuation and functions of the Texas Natural Resources Conservation Commission; providing penalties.
This bill amends numerous sections of the Water Code and the Health and Safety Code. This bill is based upon the recommendations of the Sunset Commission to continue the agency until 2013. The bill directs the TNRCC to develop a research model to identify the commission’s research needs and to explore funding for research projects. The commission is authorized to appoint a research advisory board to assist the commission in providing appropriate incentives to encourage groups to participate and make recommendations regarding research topics specific to the state. The bill directs the commission to coordinate with or make use of any research activities conducted under existing state initiatives, including research by state universities, the Coordinating Board, the U.S.D.A., and the Texas Department of Agriculture.

The bill contains an amendment that if a permit issued by the commission is required for a research project by an institution of higher education or a state agency, the payment of a fee is not required for the permit. Effective date: September 1, 2001.

Relating to state fiscal matters; making an appropriation.

Amends Business and Commerce Code by adding Section 43.020; Education Code, Sections 42.2522(e), 51.0031(d), and 57.48; Family Code, Section 231.007; Finance Code, Section 15.407; Government Code, Chapters 311, 403, 404, 447, 466, 659, 660, 666, 2101, 2103, 2107, 2110, 2113, 2155, 2166, 2175, 2251, 2252, 2260, and 2305; repeals Sections 403.055(h), 659.062, 659.063, and 2251.002(c); Health and Safety Code, Chapters 382, 533, and 771; Property Code, Section 163.004(a); repeals Section 163.004(e); Tax Code, Sections 111.064, 156.154, and 171.837; Utilities Code, Section 56.113. This bill repeals the state auditor’s approval authority concerning the deletion of property from the comptroller’s state property accounting system. The bill makes several technical changes to the property manager and property inventory statute. The bill repeals the requirement for the property manager of a state agency to report to the state auditor that property has been lost, destroyed, or damaged, and now requires the report to go to the comptroller and attorney general.

The bill also transfers the energy management center from the General Services Commission and establishes it as the state energy conservation office within the office of the comptroller. The bill requires each state agency and institution of higher education to prepare a long-range plan for the delivery of reliable, cost-effective utility services for the agency or institution. The plan must be submitted to the state energy conservation office and used in preparation of the five-year construction and major renovation plans.

The bill makes several changes regarding the statutes on hazardous duty pay and longevity pay. The key amendment in this area is the increase to longevity pay to $20 for every three years of lifetime service credit.

Each state agency is required to adopt policies to ensure an employee’s performance expectations are linked to the goals in the agency’s strategic plan. The bill creates a task force to evaluate employee compensation systems with named representatives. The task force is directed to evaluate the strengths and weaknesses of the current merit increase system for compensating employees and to identify statewide opportunities for funding pay-for-performance policies and practices to supplement current efforts at recruiting and retaining employees and to make recommendations to the legislature not later than January 1, 2003.

The bill makes several changes regarding the recovery of excess compensation pay to state officers or employees in an attempt to close perceived loopholes.

Key provisions of the bill split the annual financial report into two reports, one called the annual report which will include much of the information that is not strictly financial information and the second report contains the financial information and is called the annual financial report. The bill strikes the language that allows conformity for national reporting for higher education by incorporating the provisions of the financial accounting and reporting manual published by NACUBO.

The bill eliminates the absolute prohibition for state agencies to authorize the issuance of payment to a person who is indebted to the state or has a tax delinquency in certain cases and allows the agency to make a determination regarding payment.
The bill does change the method that must be used to determine the fiscal year to charge for certain expenditures by state agencies. A state agency is authorized to use money appropriated for a particular fiscal year to pay the entire cost or amount of a periodical subscription, a maintenance contract, insurance, or a surety or honesty bond, regardless of whether it covers more than one fiscal year. The bill makes similar provisions for the payment of utility service which occurs during the fiscal year and in September of the next fiscal year.

The bill provides new definitions for the terms “distribution date” and “payment law” for the prompt payment statutes. The bill makes several changes to the prompt payment section and the calculation of interest due for a late payment.

This bill establishes the Product Development and Small Business Incubator Board which consists of the Comptroller and eight persons appointed by the Governor, including two persons employed by institutions of higher education who have experience in technological research and its commercial applications. The bill authorizes the board to issue general obligation bonds to fund the Texas Product Development Fund which will be a revolving fund in the state treasury. The bill also establishes the small business incubator fund which will also be eligible for the proceeds of bonds issued under this subchapter and will be a revolving fund in the state treasury. The board is directed to give special preference to eligible products and small businesses in the areas of biotechnology and biomedicine that have the greatest likelihood of commercial success, job creation, and job retention in this state. There are other eligibility requirements for the companies to receive funding.

This bill changes the standard of care for investing institutional funds of institutions of higher education to the prudent investor standard. This bill also repeals language that prohibits a governing board of an institution of higher education from appropriating for expenditure the net unrealized appreciations of the assets of an endowment fund. Thus, the governing board will be able to treat endowment funds with a total return investment policy.

If the comptroller is unable to certify revenue to cover higher than expected utility costs in the contingent appropriations in SB 1, and upon approval of a majority vote of the students, Texas A&M University may assess an annual utility fee not to exceed $125 per student to cover utility costs that are in excess of 110 percent of the amount appropriated in SB 1.

The bill also contains language that the legislature continues to retain the authority to deny or grant a waiver of immunity to suit against a unit of state government by statute, resolution, or any other means. Effective date: June 15, 2001.

HB 2957 King, P. Weatherford Sibley, Waco
Summary: Relating to authorized investments for certain public money.
Amends Government Code, Section 2256.009(a). This bill amends the Public Investment Act to add letters of credit of the United States or its agencies and instrumentalities as authorized investments for those entities subject to the act. Effective date: September 1, 2001.

HB 2976 Dukes, Austin Fraser, Horseshoe Bay
Summary: Relating to the funding of the State Office of Risk Management.
Amends Labor Code, Sections 412.012, 412.0121, 412.0122, and 412.0124; adds Section 412.0123. This bill completely changes the way that state employee workers’ compensation is paid by the state. The State Office of Risk Management is required to establish an allocation program for the payment of workers’ compensation claims and risk management services that are incurred by a state agency. The office will establish the formula for allocating the state’s workers’ compensation costs among covered agencies based on the claims experience of each agency, the current and projected size of each agency’s workforce, each agency’s payroll, the related costs incurred in administering claims, and other factors that the office determines to be relevant. The board of SORM will be the final authority to determine the assessments to be paid by the covered agencies.

The current assessments paid by agencies subject to SORM’s risk management services will be allocated in the same proportion and determined in the same manner as the cost of workers’ compensation. Effective date: September 1, 2001.
HB 2989 Gutierrez, McAllen Van de Putte, San Antonio

Relating to establishing an acanthosis nigricans screening program in certain public and private schools.

Summary: Amends Health and Safety Code by adding Chapter 95. This bill authorizes the Texas-Mexico Border Health Coordination Office of the University of Texas-Pan America to establish an acanthosis nigricans screening program for individuals who attend public or private schools in South Texas. The bill requires each student to be screened at the time of screening for vision and hearing. The bill requires the office to submit a report to the Governor and the legislature in January of each odd-numbered year. Effective date: September 1, 2001.

HB 3028 Dunnam, Waco Sibley, Waco

Relating to a state science and engineering fair conducted by the Higher Education Coordinating Board.

Summary: Amends Education Code by adding Section 61.088. This bill requires the Coordinating Board to conduct an annual state science and engineering fair as part of an outreach program to middle school, junior high school, and high school students. The board may contract with public or private entities to conduct the state fair. Effective date: June 11, 2001.

HB 3064 Junell, San Angelo Ellis, R. Houston

Relating to the issuance of general obligation bonds by the Texas Public Finance Authority for certain construction and repair projects and equipment purchases.

Summary: Amends Government Code by adding Section 1232.1115. This is the enabling legislation for H.J.R. 97 for the issuance of general obligation bonds in an amount of $850 million for construction and repair projects for GSC, TYC, TDCJ, MHMR, and Parks and Wildlife Department. Effective date: November 6, 2001.

HB 3088 Turner, S. Houston Ellis, R. Houston

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

Summary: Amends Government Code, Section 403.095; Utilities Code, Sections 57.043 and 39.903. This bill is the annual bill to take care of new accounts in the state treasury and the dedication and rededication of revenue in the state treasury. Effective date: June 17, 2001.

HB 3258 Green, Dripping Springs Armbrister, Victoria

Relating to the service areas of certain public junior colleges.

Summary: Amends Education Code, Sections 130.166 and 130.208. This bill divides Gonzales County between the Austin Community College district and the Victoria College district. Effective date: June 11, 2001.

HB 3286 Lewis, R. Mauriceville Brown, B. Lake Jackson

Relating to energy and water conservation measures by state agencies and local governments.

Summary: Amends Education Code, Sections 44.901 and 51.927; Local Government Code, Sections 302.001—302.005; Government Code, Chapter 447 and Sections 2166.402 and 2166.406. This bill allows institutions of higher education to enter into performance contracts for water conservation measures to reduce water consumption or operating costs of institutional facilities in the same manner that the institution can enter into contracts for energy conservation measures. Effective date: September 1, 2001.

HB 3309 Hochberg, Houston Ellis, R. Houston

Relating to the development, funding, and operation of the Southeast Texas Biotechnology Park.

Summary: Amends Government Code by adding Chapter 488. This bill establishes the Southeast Texas Biotechnology Park Coalition. Membership in the coalition may include any interested governmental or private nonprofit institution, including Baylor College of Medicine, the Johnson Space Center, Memorial Hermann Health Care System, Rice University, St. Luke’s Episcopal Health
System/Texas Heart Institute, Texas Southern University, TIRR Systems, the University of Houston System, UT-M.D. Anderson Cancer Center, UTMB at Galveston, and UTHSC at Houston. The purpose of the park is to further the mission of the coalition members, economic development for the state, recruiting and retaining leading scientists and established biotechnology enterprises, and supporting the growth and development of new biotechnology enterprises. Effective date: June 11, 2001.

HB 3524 Hochberg, Houston Zaffirini, Laredo
Relating to authorizing the University of Texas at Austin to establish a flat rate tuition pilot project for certain undergraduate students.

Summary: Amends Education Code by adding Section 54.069. This bill authorizes the UT Austin to establish a pilot project for a flat rate tuition program. The board of regents is authorized to include in the pilot project not more than two colleges or degree programs at UT Austin. The flat rate tuition established by the board may not require a full-time student to pay more than an amount equal to the average amount of tuition, mandatory fees, and incidental fees that a student would have paid for enrolling in the university for 14 semester credit hours for that semester. The board may establish the program to be charged to all undergraduate students enrolled in the college or degree program. The board is directed to evaluate the program and to report to the legislature on or before December 31, 2002 and December 31, 2004. Effective date: June 11, 2001.

HB 3590 Hunter, Abilene Van de Putte, San Antonio
Relating to establishing the National Geographic Society Texas Fund for Geography Education.

Summary: Amends Education Code by adding Sections 61.941—61.945. This bill authorizes the Coordinating Board to execute an agreement with the National Geographic Society to operate the Texas Fund for Geography Education. The Coordinating Board is authorized to transfer any funds appropriated to it to be matched with funds from the National Geographic Society. The purpose of the fund is to create an endowment to support geographic education programs, improve the quality of geography education, and promote a better understanding of Texas by all its citizens. The Coordinating Board is required to establish an advisory committee to solicit proposals from institutions of higher education for the use of the proceeds. Effective date: June 14, 2001.

HB 3591 Hunter, Abilene Bivins, Amarillo
Relating to including certain libraries of nonprofit corporations in the TexShare consortium and authorizing grants from the Telecommunications Infrastructure Fund to those libraries.

Summary: Amends Government Code, Sections 441.221, 441.222, 441.223, 441.224, and 441.226; Utilities Code, Sections 57.042(6) and 58.253(a). This bill allows libraries operated by a nonprofit corporation established in Texas that provide an extensive library services and collections in the fields of clinical medicine and the history of medicine to participate in the Telecommunications Infrastructure Fund. These same libraries will be entitled to participate in TexShare consortium administered by the State Library and Archives Commission. Effective date: September 1, 2001.

HB 3600 Capelo, Corpus Christi Cain, Dallas
Relating to the confidentiality of records regarding the compliance monitoring of physicians by the Texas State Board of Medical Examiners.

Summary: Amends Occupations Code, Sections 160.006(a) and 164.007(c). In addition to the current information held by the State Board of Medical Examiners that is deemed confidential, this bill will make information relating to compliance monitoring confidential. Effective date: June 15, 2001.

HB 3623 Flores, Mission Shapleigh, El Paso
Relating to the transfer of certain underused real property owned or controlled by the state to political subdivisions for use as affordable or accessible housing.

Summary: Amends Natural Resources Code, Sections 31.156, 31.157, and 31.158. This bill requires the General Land Office to provide a list and an appraisal of properties owned or controlled by the state that is not being used or is being substantially underused to the Department of Housing and Community Affairs. This applies only to real property for which the GLO is responsible for maintaining an inventory. Current law states that the duty of the GLO to review and verify real property records and to make recommendations regarding real property and to report on real property does not apply to real property of an
HB 3699  Ritter, Nederland Bernsen, Beaumont

Relating to the allocation of certain funds for institutions within the Texas State University System.

Summary: Amends Education Code, Sections 62.021(a) and 96.703. This bill allows the Texas State University System to expend a portion of the Higher Education Fund allocated to Lamar University on the facilities of Lamar Institute of Technology. Effective date: June 15, 2001.
<table>
<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HJR 75</td>
<td>Mowery, Shapiro, Addison</td>
<td>Proposing a constitutional amendment to eliminate obsolete, archaic, redundant, and unnecessary provisions and to clarify, update, and harmonize certain provision of the Texas of the Constitution.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: Election date: November 6, 2001</td>
</tr>
<tr>
<td>HJR 97</td>
<td>Junell, San Angelo Ellis, R. Houston</td>
<td>Proposing a constitutional amendment authorizing the issuance of general obligation bonds for construction and repair projects and for the purchase of needed equipment.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: Amends Texas Constitution, Article III, by adding Section 50-f. This amendment authorizes the Public Finance Authority to issue and sell general obligation bonds in an amount not to exceed $850 million for the benefit of GSC, TYC, TDCJ, MHMR, TDH, DPS, and the Parks and Wildlife Department. Proceeds from this authorization could be used for expansion of prison health care facility in Lubbock County. Election date: November 6, 2001.</td>
</tr>
<tr>
<td>HCR 174</td>
<td>McCall, Nelson, Flower Mound</td>
<td>Expressing the public policy relating to software piracy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: This resolution requests the Legislature to condemn the practice of software privacy in all its forms, including the unauthorized acquisition, reproduction, distribution, transmission, and use of computer software by Texas state agencies. Effective date: June 15, 2001.</td>
</tr>
<tr>
<td>HCR 192</td>
<td>Goolsby, Cain, Dallas</td>
<td>Authorizing the Lt. Governor and the Speaker of the House of Representatives to appoint interim joint committees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: This concurrent resolution authorizes the Lt. Governor and Speaker of the House to create by mutual agreement such joint committees as they consider necessary during the interim of this legislature. Effective date: June 17, 2001.</td>
</tr>
<tr>
<td>HCR 196</td>
<td>Isett, Duncan, Lubbock</td>
<td>Designating Lubbock as the Texas City of Vatican Art for Year 2002.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: Effective date: May 22, 2001.</td>
</tr>
<tr>
<td>HCR 214</td>
<td>Chavez, Shapleigh, El Paso</td>
<td>Memorializing Congress to establish a separate Federal Medical Assistance Percentage for the Texas-Mexico border region.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summary: Effective date: June 15, 2001.</td>
</tr>
</tbody>
</table>
SB 1  Ellis, Houston  
Junell, San Angelo  
Summary: General Appropriations Act.  
Effective date: June 17, 2001.

SB 5  Brown, B.  
Lake Jackson Wolens, Dallas  
Summary: Relating to the Texas emissions reduction plan.  
Amends Health and Safety Code by adding Chapters 386, 387, 388, and 389; Tax Code, Section 153.203; Transportation Code by adding Sections 224.153(c), 431.073(d), 502.186, 548.256(c) and (d), and 548.5055. This bill establishes the Texas emissions reduction plan to further attempt to meet the Environmental Protection Agency standards by 2007. The bill requires the Public Utility Commission, the Texas Natural Resource Conservation Commission, the Comptroller, and the Texas Council on Environmental Technology to establish and administer the Texas emissions reduction plan. The Texas Council on Environmental Technology consists of eleven members appointed by the Governor to represent the academic and nonprofit communities. The council will be housed at the Center for Energy and Environmental Resources at UT at Austin. The council will establish and administer a new technology research and development program. The council will provide grants to be used to support development of emissions-reducing technologies and other new technologies that show promise for commercialization.

The legislature further finds that an effective building energy code should be adopted to reduce air pollutant emissions. To achieve energy conservation in construction, other than residential construction, the International Energy Conservation Code as it existed on May 1, 2001, is adopted as the energy code for use in this state. Municipalities are required to establish procedures for the administration and enforcement of the code and to ensure that code-certified inspectors shall perform inspections and enforce the code in the inspectors' jurisdiction. The Energy Systems Laboratory at the Texas Engineering Experiment Station of the Texas A&M University System is directed to assist municipalities or counties when requested.

The bill requires the implementation of energy efficiency measures in all non-attainment areas and twenty-two other counties in the state. Each of these political subdivisions area directed to establish a goal to reduce electric consumption by the subdivision by 5 percent each year for five years, beginning January 1, 2002. Effective date: September 1, 2001.

SB 11  Nelson, Flower Mound  
Gray, Galveston  
Summary: Relating to protecting the privacy of medical records; providing penalties.  
Amends Health and Safety Code, Section 161.032 and adds Chapter 181; Insurance Code by adding Chapter 28B. This bill establishes requirements for covered entities to comply with the Health Insurance Portability and Accountability Act and Privacy Standards relating to an individual’s access, uses and disclosures, and notice of privacy practices for the individual’s protected health information. The bill does provide an exception for education records covered by the Family Educational Rights and Privacy Act. The bill does make provisions for disclosure of protected health information to a person performing health research if requirements are met regarding consent and expressed written authorization to release the protected information. Effective date: September 1, 2001.

SB 12  Nelson, Flower Mound  
McCall, Plano  
Summary: Relating to a prohibition of discrimination based on the use of certain information in the determination of eligibility for employment, an occupational license, or insurance coverage.  
Amends Labor Code, Section 21.401; V.T.C.S., Article 9031; Insurance code, Article 21.73, Section 1. This bill expands the definitions of “genetic information” and “genetic tests” to prevent employers, licensing authorities, and insurance companies from discriminating on the basis of certain genetic information or genetic tests. It also prevents employers or licensing authorities from discriminating on the basis of family health information which could be used to determine an individual’s genetic predisposition to certain diseases. Effective date: September 1, 2001.

SB 31  Zaffirini, Laredo  
Summary: Relating to providing information about bacterial meningitis to students of public schools and students of institutions of higher education.
Amends Education Code by adding Sections 38.0025 and 51.9191. This bill requires the Coordinating Board to prescribe procedures for each institution of higher education to provide information to new students relating to bacterial meningitis. The information that the institutions are required to distribute will be in a form prescribed by the Coordinating Board, including the symptoms of the disease, how it may be diagnosed, consequences if untreated, how the disease is transmitted, how it may be prevented, and the availability and effectiveness of the vaccination against the treatment for the disease. Each institution is required to make reasonable efforts to obtain from each new student a confirmation signed by the student that the student has received the required information and to retain the confirmation for not less than two years after the student first enrolls at the institution. Effective date: May 22, 2001.

Relating to tuition assistance for licensed vocational nursing students who agree following their licensure to practice in long-term care facilities.

Amends Education Code by adding Section 61.659. This bill authorizes the Coordinating Board to establish and administer a tuition assistance program for vocational nursing students attending any school or program in Texas who agree that following licensure as a licensed vocational nurse to practice in a long-term care facility. The board is authorized to adopt rules establishing the eligibility requirements, the amount of tuition assistance, the amount of time required to practice in a long-term care facility, and the circumstances and amount of money required to be repaid if a student fails to satisfy the conditions of the agreement. Effective date: June 17, 2001.

Relating to the compensation and reimbursement of expenses of members of the Midwestern State University board of regents.

Amends Education Code, Section 103.04. This bill authorizes reimbursement, subject to any applicable limitation on reimbursement provided by the General Appropriations Act, for actual expenses incurred in attending the meetings of the board or in performing other board business for the board of regents of Midwestern State University. Effective date: May 22, 2001.

Relating to the titles of the presiding officers of the board of regents of Texas Woman's University.

Amends Education Code, Sections 107.22 and 107.23. This bill renames the chairman and vice chairman of the board of regents of TWU as the presiding officer and an assistant presiding officer. Effective date: August 27, 2001.

Relating to the removal of members of the board of regents of Midwestern State University.

Amends Education Code by adding Section 103.031. This bill provides statutory grounds for removal of a board member of MSU including malfeasance, disability, or unexcused absence from more than half of the regularly scheduled board meetings. Effective date: May 22, 2001.

Relating to the terms of members of the advisory board of the Texas Academy of Mathematics and Science.

Amends Education Code, Section 105.96(d). This bill cleans up the term of the board members of the University of North Texas Academy of Mathematics and Science. Effective date: May 22, 2001.

Relating to meetings of the board of regents of Midwestern State University.

Amends Education Code, Section 103.05. This amendment allows the chairperson of the MSU board of regents to convene meetings of the board when the chair considers it appropriate. Effective date: May 18, 2001.
SB 77

Haywood, Wichita Falls
Denny, Denton

Relating to the removal of members of the board of regents of Texas Woman’s University.

Summary: Amends Education Code by adding Section 107.211. This new section authorizes the grounds for removal of a board member including malfeasance, disability, or unexcused absence from more than half of the regularly scheduled board meetings. Effective date: May 22, 2001.

SB 82

Madla, San Antonio
Menendez, San Antonio

Relating to courses offered by a public junior college for joint high school and junior college credit.

Summary: Amends Education Code, Section 130.008. This bill allows any high school student including those attending private or parochial schools, including a home school, to participate in courses for which the student receives joint high school and junior college credit. Effective date: August 27, 2001.

SB 108

Lucio, Brownsville
Dutton, Houston

Relating to the first day of instruction of a school year for public school students.

Summary: Amends Education Code, Section 25.084(a) and adds Section 25.0811. This bill states that the first day of instruction for public schools may not occur before the week in which August 21 falls. A school district may apply for a waiver if it meets the requirements set forth in the bill. This would apply to the 2002-2003 school year. Effective date: September 1, 2001.

SB 115

Madla, San Antonio
Hawley, Portland

Relating to creating a foundation to finance health programs in the rural areas of the state.

Summary: Amends Health and Safety Code, Section 106.026 and adds Chapter 110. This bill directs the Center for Rural Health Initiatives to establish the Rural Foundation to raise money from foundations, governmental entities, and other sources to finance health programs in the rural areas of this state. The foundation will be a nonprofit corporation governed by a five member board of directors appointed by the executive committee of the center.

Another amendment to the bill requires the center to obtain information from each county about indigent health care provided in the county and information from each university, medical school, rural community, or rural health care provider that has performed a study relating to rural health care during the biennium. The center is to include this information in its biennial report to the legislature. Effective date: September 1, 2001.

SB 126

Madla, San Antonio
Turner, B. Coleman

Relating to the creation of the Rural Communities Health Care Investment Program to attract and retain rural health care professionals.

Summary: Amends Health and Safety Code, Section 106.025(a) and adds Sections 106.301—106.310; Education Code by adding Section 61.0899. This bill directs the executive committee of the Center for Rural Health Initiatives to establish a program to assist medically underserved communities in recruiting health care professionals through a program of loan reimbursements to students and stipends to professionals who agree to practice in underserved communities. The bill establishes the rural communities health care investment trust fund to be composed of money transferred by the legislature, gifts and grants contributed to the fund, and the returns from investments of the money. This fund will be used as the source to fund the stipends and loan reimbursements under these programs. The bill also directs the Coordinating Board to seek funds from any source to support the authorized programs. Effective date: May 28, 2001.

SB 149

Carona, Dallas
Hunter, Abilene

Relating to the colleges and universities eligible to participate in the tuition equalization grant program.

Summary: Amends Education Code, Sections 61.221, 61.222, and 61.227. This bill refines
the definition of those institutions eligible to participate in the tuition
equalization grant program to include those private or independent institutions
of higher education as defined by Section 61.003, or are located within this state
and meet the same program standards and accreditation as public institutions
of higher education. Effective date: September 1, 2001.

SB 158
Truan, Corpus Christi
Olivo, Missouri City

Relating to counseling public school students regarding higher education.

Summary:
Amends Education Code, Section 33.001 and adds Section 33.007. This bill
requires elementary and middle or junior high school counselors to advise
students and their parents or guardians regarding the importance of higher
education, the advantages of completing the recommended or advanced high
school program, financial aid eligibility, instruction on how to apply for federal
financial aid, the automatic admission of students in the top 10% of their class,
and the eligibility for the TEXAS Grant Program. Effective date: June 15,

SB 170
Wentworth, San Antonio
Wolens, Dallas

Relating to the application of the open meetings law to attendance at a
legislative committee or agency meeting by a quorum of another governmental
body.

Summary:
Amends Government Code by adding Section 551.0035. This new section
applies only to the attendance by a quorum of a governmental body at a meeting
of a committee or agency of the legislature. The attendance by a quorum is not
considered to be a meeting of that governmental body if the deliberations at the
meeting by the members of that governmental body consist only of publicly
testifying, publicly commenting, and publicly responding to questions at the
meeting. Effective date: June 4, 2001.

SB 187
Shapleigh, El Paso
Solomons, Carrollton

Relating to the creation of an authority and related projects and duties regarding
government services provided through online systems.

Summary:
Amends Government Code, Sections, 2054.096(a) and 2054.062(f); adds
Sections 2054.051(f), 2054.251—2054.267, 2054.111, and 2054.112. This bill
establishes the TexasOnline Authority comprised of fifteen members with at
least one from an institution of higher education. The bill directs the
Department of Information Resources to create a division in the department
designated “TexasOnline” to assist the authority in the continued development
of the TexasOnline portal to state services. The bill directs state agencies to
consider using the project for providing secure services over the Internet
including financial transactions; applications for licenses, permits, registrations,
and other related documents from the public, and electronic signatures. If a
state agency chooses not to use the project, the agency must provide
documentation to the authority that shows the services and security required by
the agency.

The bill also adds additional requirements to each state agency’s strategic plan
for information resources which will require a description of any information
resources technology projects proposed by the agency. e-Texas, EG-1. This bill
should be read in conjunction with SB 311m SB 393, and SB 1458. Effective
date: May 26, 2001.

SB 188
Lindsay, Houston
Elkins, Houston

Relating to paid leave for a state employee who is an emergency medical
services volunteer.

Summary:
Amends Government Code, Section 661.905. This bill amends the leave
provisions for state employees to require all state agencies, including institutions
of higher education, to allow emergency medical services volunteers time off
with pay to attend medical emergency services training conducted by state
agencies. This paid leave may not exceed five working days per fiscal year. If
the agency or institution has an established policy for granting leave, the agency
or institution may grant leave with pay to a volunteer for the purpose of
allowing the volunteer to respond to emergency situations. Effective date:
September 1, 2001.

SB 221
Staples, Palestine
Heflin, Houston

Relating to government purchasing using the reverse auction procedure.
SB 247  Shapleigh,  El Paso  Haggerty,  El Paso

Relating to the confidentiality of certain information held by governmental bodies.

Summary:  Amends Government Code, Section 552.117 and adds Sections 552.024(f) and 552.1175; Tax Code by adding Sections 25.025 and 25.026.  This bill will protect from public disclosure information that relates to the home address, home telephone number, social security number, or whether an individual has family members if the individual is a peace officer or certain security officers and the individual elects to restrict access to the information and notifies the governmental body of the individual’s choice on a form provided by the governmental body.  Effective date:  September 1, 2001.

SB 263  Ogden,  College Station  Brown, F., College Station

Relating to a written policy regulating certain travel by students enrolled at public institutions of higher education.

Summary:  Amends Education Code by adding Section 51.949.  This bill requires the governing board of an institution of higher education to adopt a written policy regulating student travel undertaken by one or more enrolled students to an event located more than twenty-five miles from the campus that is organized or sponsored by the institution and that is funded by the institution and the travel is undertaken in a vehicle owned or leased by the institution or is required by a student organization registered at the institution.  The bill does set forth certain provisions that must be contained in the policy including safety issues, passenger capacity, and qualifications and training required to operate a particular mode of travel.  The governing board is required to file a copy of the policy with the Coordinating Board before August 1, 2002.

The bill clearly states that it does not create a claim or cause of action against the institution beyond a claim or cause of action authorized in the Tort Claims Act.  Effective date:  June 13, 2001.

SB 273  Armbrister,  Victoria  Tillery,  Dallas

Relating to systems and programs administered by the Teacher Retirement System of Texas; providing a penalty.

Summary:  Amends Government Code, Chapters 803, 821, 822, 823, 824, and 825; V.T.C.S., Article 6228a-5; Insurance Code, Article 3.50-4 and Article 3.5-4A.  For purposes of calculating a standard service retirement annuity for members of the Teacher Retirement System, this bill increases the multiplier from 2.2% to 2.3% for each year of service credit in the retirement system.  This bill requires that payroll deductions for TRS be remitted by the seventh day after the last day of the month, instead of the current requirement of the 11th day.  This bill also contains nonamendatory language that prohibits the retirement system from withholding a monthly benefit payment from a retiree who retired before January 1, 2001 with a regular service retirement benefit and who is employed by a school district or charter school.  The understanding is this prohibition will apply to retirees from higher education, too.  The bill also makes all records maintained by the Teacher Retirement System confidential and not subject to public disclosure in a form that would identify an individual and are exempt from the public access provisions of the Public Information Act.  The bill does provide exceptions for the release of the records to participant, an otherwise authorized attorney or spouse of the participant, the retirement system, or the employer.  Effective date:  June 15, 2001.

SB 275  Shapleigh,  El Paso  Solis,  Harlingen

Relating to requiring information from the comptroller of public accounts about state and local activities relating to economic development.

Summary:  Amends Government Code by adding Section 403.030.  This bill requires that before each regular session of the legislature the Comptroller shall collect and
make available information that lists the strategies in the General Appropriations Act identified as meeting the statewide priority goal or service category of economic development of each state agency and institution of higher education. The information must cover the five-year period prior to the beginning of the session. Each state agency or institution of higher education is required to cooperate with the comptroller to provide the necessary information for this report. Effective date: June 16, 2001.

SB 292 Ambrister, Victoria Telford, Texarkana
Relating to programs and systems administered by the Employees Retirement System of Texas and to certain other public retirement systems.

Summary: Amends Government Code, Chapters 615, 810, 811, 813, 814, 815, and 840; Insurance Code, Article 3.50-2, Sections 3, 4, 4B, 5, 10, 10A, 13A, 13A-1, and 13B. For members of the Employees Retirement System, this bill increases the multiplier from 2.25% to 2.3% for each year of service credit in the retirement system. For employees who begin work after September 1, 2001, the employee will have to have at least ten years of service as an eligible employee to participate in the Uniform Group Insurance Benefits Program upon retirement. All employees employed prior to August 31, 2001, will continue to have to meet the three years of service as an eligible employee in order to participate in the group insurance program upon retirement. Current law protects the records of a participant in the Employees Uniform Group Insurance Program from public disclosure and those records are exempt from the public access provisions of the Public Information Act. This bill adds a new section relating to the records of individuals participating in the Employees Retirement System that declares that these records are confidential, not subject to public disclosure, and exempt from the Public Information Act. This amendment does make provisions for release of records to eligible survivors, authorized attorneys, family members, or representatives acting on behalf of the eligible survivor. Effective date: September 1, 2001.

SB 304 Lucio, Brownsville Bosse, Houston
Relating to the continuation and functions of the State Aircraft Pooling Board.

Summary: Amends Government Code, Section 2205.017 and adds Sections 2205.017, 2205.018, 2205.032(c), and 2205.047. This is the Sunset Commission’s bill for the State Aircraft Pooling Board. The new amendments require the board to develop a long-range plan for its pool of aircraft. The board is also required to post information related to travel and other services provided by the board on an Internet site maintained by or for the board. Effective date: September 1, 2001.

SB 305 Harris, Arlington Bosse, Houston
Relating to the continuation and functions of the Parks and Wildlife Department.

Summary: Amends Parks and Wildlife Code, Chapters 11, 12, 13, 21, 22, 31, 43, 76, 77, and 89. This is the Sunset Commission’s bill for the department. The new statutory language does require the Parks and Wildlife Department to inventory all historical, natural, recreational, and wildlife resources in this state that are owned by governmental entities or nonprofit entities that offer access to the land or water to the public. The department is directed to use existing inventory information concerning public lands whenever possible. The department is required to create a permanent database from the inventory. Upon completion of the inventory, the department is directed to analyze the state’s existing and future conservation and recreation needs; identify threatened land and water resources in this state; establish the relative importance for conservation purposes of particular resources; and evaluate any existing plans regarding parks and wildlife management areas. Based on this analysis, the department is directed to prepare a land and water resources conservation and recreation plan. Land, water, or property owned by, administered by, or held for the use and benefit of an institution of higher education is exempt from this analysis and the state plan. The inclusion of a parcel of land in the inventory does not create any additional right of public access to that land. In the transition language of the bill, the department is prohibited from acquiring any new site, with a few exceptions, until the inventory and the plan have been completed. Effective date: September 1, 2001.

SB 309 Harris, Arlington Bosse, Houston
Relating to the application of the Sunset review process to certain governmental entities.

Summary: Amends Government Code, Sections 481.003 and 2108.007; Labor Code,
Section 412.021; Human resources Code, Section 21.002 and adds Section 21.0021; Health and Safety Code by adding Section 11.0031. This bill continues the Texas Department of Economic Development until September 1, 2003; moves the Incentive and Productivity Commission expiration date from September 1, 2003 to September 1, 2007; moves the expiration date of the State Office of Risk Management board’s expiration from September 1, 2009 to September 1, 2007; extends the Department of Human Services expiration from September 1, 2003 to September 1, 2011. The bill calls for a special purpose Sunset review of both the Department of Human Services and the Department of Health prior to the next legislative session. Effective date: September 1, 2001.

SB 311 Zaffirini, Laredo Gallego, Alpine

Relating to the abolition of the General Services Commission; to the transfer of its functions to a newly created Texas Building and Procurement Commission; and to the operations of certain other state agencies having functions transferred from or associated with the General Services Commission, including the Department of Information Resources, the Telecommunications Planning and Oversight Council, the Attorney General, the Legislative Budget Board, and the State Cemetery Committee.

Summary: Amends Government Code, Chapters 552, 1232, 2054, 2056, 2151, 2152, 2155, 2156, 2157, 2161, 2163, 2165, 2166, 2167, 2170, 2171, 2175, 2177, 2252, 2258, 2260, and 2262. This bill originally represented the Sunset Commission’s recommendations for this agency. This bill now abolishes the General Services Commission and transfers a portion of its current functions to the newly created Texas Building and Procurement Commission (BPC). The new commission will consist of three members appointed by the Governor, two additional members appointed by the Governor from a list of nominees submitted by the Speaker of the House, and two members appointed by the Lt. Governor.

The bill does transfer the powers and duties of GSC relating to providing telecommunications services for state government to the Department of Information Resources (DIR). The bill requires the DIR to create a division in the department to oversee the implementation of major information resources projects which are (1) projects that exceed $1 million and require one year or longer to reach operations status, involves more than one agency, or substantially alters work methods of state agency personnel, or (2) any information resources technology project designated by the legislature in the General Appropriations Act. This new division will be funded from a percentage of money appropriated to or budgeted by a state agency for the major information resources projects designated by the legislature. The legislature will prescribe the percentage in the General Appropriations Act.

This bill expands the composition of the Telecommunications Planning and Oversight Council which currently includes a member appointed by the Commissioner of Education; a member representing the UT System; a member representing the Texas A&M System; designated members representing public schools, other state agencies and local governments, and two members with telecommunications expertise appointed by the Governor. The council is given the authority to provide planning and oversight for the consolidated telecommunications system for all state agencies. The DIR will become the telecommunications provider for the state and all current responsibilities of the commission are transferred to DIR regarding telecommunications.

In consultation with the BPC, DIR, the Comptroller, and the State Auditor, the Attorney General will develop a contract management guide for state agencies. The guide must include information regarding contract development and negotiation, contract monitoring, contractor selection, subcontractor performance, and model provisions for state agency contracts. The State Auditor will create training materials for contract managers. Each state agency, excluding institutions of higher education, will be required to comply with the contracting guide and ensure that the agency’s contract managers complete the training. Beginning in 2004, agencies will be required to include a description of the training of the agency’s contract managers in their biennial strategic plan.

e-Texas, CG-9.

The bill requires the BPC to develop a systematic review process to identify commercially available services being performed by the BPC and to study the services to determine if they may be better provided by other state agency providers or private commercial sources.

This bill defines multiple award contract to mean an award of a contract for an indefinite amount of one or more similar goods or services from a vendor. The bill requires the BPC to develop a schedule of multiple award contracts that have been previously awarded by a competitive bid process by the federal government, or any other governmental entity in any state. A state agency or local government may purchase goods or services directly from a vendor under
a contract listed on the schedule. The price listed will be the maximum price and the agency can negotiate a lower price under the contract. The bill makes provisions for HUBS and small businesses to participate in the schedule. After a purchase order has been placed, a state agency subject to the marketplace posting will be required to post the procurement made under the contract listed on the schedule.

The bill also authorizes the BPC to procure goods and services through reverse auction procedures (See SB 221).

The bill transfers the operation of the Texas Marketplace business daily from the Department of Economic Development to the BPC.

DIR, in consultation with the BPC, is required to establish an online travel reservation and ticketing system for use by state agencies participating in the BPC contracts for travel services.

The bill transfers the authority to establish and manage the electronic infrastructure of the electronic procurement system to DIR. The BPC shall manage and administer the content of the electronic procurement marketplace. (See SB 1458 for language that allows an institution of higher education to participate in any electronic procurement system developed, but is not required to participate.) The bill also transfers the responsibility to establish and manage the electronic infrastructure for the electronic commerce network to DIR. The BPC will manage and administer the content of the electronic commerce network.

The bill authorizes the BPC to develop alternative design-build construction contract procedures for those projects that the commission is responsible for constructing.

To assist historically underutilized businesses and small businesses to qualify for a contract or subcontract on a project if an agency requires a proposal guaranty as a condition for bidding, the guaranty may be in the form of a cashier’s check, a bid bond issued by a surety, or any other method approved by the agency.

The bill continues the authority of the BPC to lease real property for state agencies and directs the commission to adopt rules establishing guidelines for the determination of best value in a leased contract. The bill also authorizes the BPC to contract with a private brokerage or real estate firm to assist the commission in acquiring leased space. e-Texas, AFM-9. (See HB 1545 for exemption for institutions of higher education.)

This bill requires the BPC to evaluate the first four state-leased warehouses in Austin for which the leases expire after October 1, 2001. The commission will be required to work with the state agency operating the warehouse to reduce inefficient warehouse space use and adopt practices that can reduce the agency's need for warehouse space. The state agency will be required to implement a plan and include the plan for reducing the need for warehouse space in its strategic plan. e-Texas, AFM-10.

The bill also amends the sections regarding the commission’s authority for transferring or disposing of surplus or salvage property by other state agencies. These amendments should not have any impact on higher education exemptions regarding surplus and salvage property.

The bill requires other state agencies to notify the Comptroller who in turn is required to post notice on the Comptroller’s web site of the availability of surplus or salvage property. If the property is not disposed of in this manner, the BPC has new authority to sell the property using an Internet auction site. e-Texas, AFM-11. (See HB 2914.)

The bill also requires the BPC to establish a mandatory recycling program for a state agency that occupies a building under the commission’s control.

In addition to certification programs offered through local governments, this bill allows certification programs for historically underutilized businesses (HUBS) to be certified by nonprofit organizations in this state, if the local government or nonprofit organization meets or exceeds the standard established by the BPC.

Present law requires a bid, proposal, or offer to include a historically underutilized business subcontracting plan if a state agency determines that subcontracting opportunities exist in a proposed contract. In the alternative, these amendments allow a contractor to agree to participate in the agency’s mentor-protégé program and submission of a protégé as a subcontractor in the contractor’s HUB subcontracting plan constitutes a good faith effort.
The bill does make a provision for a preference for products and services from economically depressed or blighted areas.

The bill does amend the current prevailing wage statute. For contracts for public works awarded by the state, the governing body contracting for a public work located in a county bordering the United Mexican States or in a county adjacent to a county bordering the United Mexican States will be required to use the higher of the prevailing rate of per diem wages as determined from the survey conducted in the political subdivision, the arithmetic mean between the rate determined from a survey conducted in the political subdivision and the rate determined from the statewide survey, and if applicable, the arithmetic mean between the rate determined by the political subdivision and the rate determined by the U. S. Department of Labor.

The bill also contains language that the legislature continues to retain the authority to deny or grant a waiver of immunity to suit against a unit of state government by statute, resolution, or any other means.

Current law requires that buildings operated by the state or as a regional headquarter for a state agency only bear the name of a person who is deceased and was significant in the state's history. University buildings and prisons are currently exempt from this requirement. The bill adds Texas Youth Commission facilities to the exemption.

Current law contains a list of criteria to be used when determining the best value for the state when purchasing goods or services. This bill adds to that list the vendor’s anticipated economic impact to the state, including potential tax revenue and employment, as a best value factor.

This bill sets forth in statute the requirements for an enforceable indemnification agreement in a construction contract. It defines a construction contract as a contract or agreement made and entered into by a state governmental entity, contractor, construction manager, subcontractor, supplier, or equipment lessor, concerning the construction, alteration, or repair of a state building or carrying out or completing any state public work. Effective date: September 1, 2001.

SB 347
Brown, B.
Lake Jackson Haggerty, El Paso

Relating to the provision of health care, including prescription drugs, for persons confined in institutions operated by the Texas Department of Criminal Justice.

Summary:
Amends Government Code, Sections 501.147(a) and (c) and 501.148(a). This bill requires that a contract of the Correctional Managed Health Care Committee include provisions necessary to ensure that UTMB at Galveston and TTUHSC are eligible for and make reasonable efforts to participate in the purchase of prescription drugs under the Public Health Service Act. e-Texas, HHS-14.

The amendments further authorize UTMB to contract directly with TTUHSC for the provision of health care services. Another amendment requires the Managed Health Care Committee to act as an independent third party for the purpose of dispute resolution in the event of a disagreement between UTMB and TTUHSC. Effective date: September 1, 2001.

SB 353
Ellis, R.
Houston McCall, Plano

Relating to certain programs to develop the technology workforce in Texas by supporting and promoting higher education in engineering and computer science.

Summary:
Amends Education Code by adding Sections 51.831—51.840. This bill defines eligible computer science institution or eligible engineering institution as one offering a baccalaureate degree in computer science, or an institution offering a baccalaureate degree in electrical engineering that is accredited by the accreditation Board for Engineering and Technology. This includes both public and private institutions. The bill allows eligible institutions and private technology companies to establish and administer the Texas Engineering and Technical Consortium as a resource-sharing program. The bill allows the legislature to appropriate an amount of money equal to the amount of money deposited by technology companies or the market value of any in-kind contributions accepted by the consortium and verified by the Coordinating Board. The Coordinating Board is required to administer the account and award grants on a competitive, peer-review basis to eligible institutions to increase the number of graduates with baccalaureate degrees in electrical engineering and computer science, to increase the size of existing programs, to recruit students for these programs, to provide scholarships, to provide retention and mentoring programs, and to provide research and laboratory equipment.

The board will be allowed to consider the faculty, instructional and research resources, current enrollment, quality of curriculum, placement record of
graduates, past performance in increasing graduates, and any other appropriate factor. The board is required to establish an advisory board as set forth in the bill. The board is also required to appoint an advisory committee of higher education representatives and experts in the fields of engineering and computer science to evaluate the program, including the level of participation by eligible private or independent engineering institutions. Effective date: September 1, 2001.

SB 386  Bivins, Amarillo Swinford, Amarillo

Summary: Amends Education Code, Sections 135.02 and 62.021(a); Government Code, Section 572.003(c). This bill eliminates statutory references to the campus of TSTC at Amarillo and adds TSTC—Marshall. Effective date: May 22, 2001.

SB 393  Carona, Dallas Brimer, Fort Worth

Summary: Amends Business and Commerce Code by adding Chapter 43; repeals Sections 2.108 and 2A.110; Local Government Code, Chapters 191 and 195. This bill defines governmental agency very broadly including executive agencies, legislative agencies, institutions, instrumentalties of the federal government, counties, municipalities, or other political subdivisions of the state. This new chapter applies to electronic records or electronic signatures relating to a transaction. The purpose of the chapter is to construe and apply laws to facilitate electronic transactions consistent with other applicable laws. This bill requires each state agency to determine whether, and the extent to which, the agency will send and accept electronic records and electronic signatures. The Department of Information Resources and the State Library and Archives Commission may specify the manner and format for electronic records, the type of signature required, the manner and format of the signature, the control processes and procedures, and any other required attributes for electronic records. Effective date: January 1, 2002.

SB 424  Shapleigh, El Paso Coleman, Houston

Summary: NEW LAW. This bill required the Department of Health, with the assistance from the Health and Human Services Commission and the UT School of Public Health at Houston to study the health of the residents of this state and develop a strategic health plan for this state not late than December 15, 2002. Effective date: Vetoed by the Governor on May 26, 2001.

SB 462  Duncan, Lubbock Jones, D. Lubbock

Summary: Amends Education Code, Sections 54.508 and 54.509. These amendments authorize the board of regents of the Texas Tech University System to increase the medical services fee from $55 to an amount not to exceed $100 for each regular semester or from $25 to an amount not to exceed $50 for a summer term. The board is also authorized to increase the student recreation fee from $25 to an amount not to exceed $100 for a regular semester or from $12.50 to an amount not to exceed $50 for a summer term. In both cases, the standard language regarding any increase greater than 10% from one academic year to the next academic year requires a majority of the students participating in a general election held for that purpose is specified in the bill. Effective date: May 11, 2001.

SB 477  Bernsen, Beaumont Ritter, Nederland

Summary: Amends Government Code, Section 823.401(f). This bill increases the number of years from ten to fifteen years of actual service in out-of-state service for which a member of the TRS can establish membership service credit for. Effective date: September 1, 2001.

SB 481  Duncan, Lubbock

Summary: Relating to electronic filing of reports with state agencies.
Amends Government Code by adding Section 2054.063. This bill allows the Department of Information Resources to work with state agencies to access opportunities for allowing persons to electronically file with an agency information that the agency requires a person to report. The final goal is to develop and implement a plan to adopt electronic reporting in state government whenever it is effective and efficient to do so. e-Texas, EG-5. Effective date: September 1, 2001.

SB 482 Duncan, Lubbock, Isett, Lubbock

Relating to accounting procedures for structural components of certain state buildings.

Amends Government Code by adding Section 2101.015. This new section applies only to a state agency that receives federal funds to implement federal or joint federal and state programs. The amendment requires those state agencies to complete a process of separately calculating the depreciation of major building structural components, subsystems, and equipment (called "componentization") on any agency-owned building with a fair market value of at least $1 million. By calculating depreciation value using this method, the eligible state agencies are supposed to increase the amount of federal funds that the agencies may recover. The bill sets out eleven different component categories and suggested useful lives. e-Texas, AFM-8. Effective date: September 1, 2001.

SB 484 Duncan, Lubbock, Pitts, Waxahachie

Relating to the review of plans and specifications and the inspection of buildings or facilities for the purposes of eliminating architectural barriers encountered by persons with disabilities.

Amends V.T.C.S., Article 9102, Sections 2, 5, and 6; adds Section 5A. Current law requires the Department of Licensing and Regulation to inspect each building or facility that is subject to the architectural barriers statutes and that has an estimated construction, renovation, modification, or alteration cost of at least $50,000. These amendments require the owner of the building or facility to have the building or facility inspected for compliance with the standards and specifications adopted by the commission. In essence, this bill shifts the requirement that the department perform the inspection to the owner of the building. The bill also expands and authorizes inspections to be performed either by the department, or by an entity with whom the department contracts, or by a person who holds a certificate of registration from the department. Effective date: June 17, 2001.

SB 496 Shapleigh, El Paso, Wise, Weslaco

Relating to a study of barriers to providing binational health benefit plan coverage.

NEW LAW. This bill requires the Department of Insurance and the Department of Health to jointly study the provision in this state of health benefit plan coverage to individuals who are not residents of this state or another state of the United States. Effective date: June 17, 2001.

SB 497 Shapleigh, El Paso, Counts, Knox City

Relating to information a state agency may post on the Internet.

Amends Government Code, Section 2054.121. Current law requires each state agency, other than an institution of higher education, that receives an aggregate amount of appropriations in the General Appropriations Act for a state fiscal biennium that exceeds $175 million to post certain information on the agency's Internet site. This amendment allows those agencies to post any nonconfidential information related to the agency's programs, activities, or functions on the Internet site. e-Texas, EG-13. Effective date: September 1, 2001.

SB 505 Brown, B., Lake Jackson, Gray, Galveston

Relating to requiring students enrolled at certain medical and dental units to have health insurance coverage.

Amends Education Code by adding Section 51.961. This bill allows the board of regents of a medical and dental unit to require a student enrolled at the institution to have in effect during the calendar year of enrollment a health insurance policy for healthcare services received by the student. The governing
board will determine the minimum coverage standards required. If the student requests in writing, the institution may include the cost of the health insurance coverage in the student’s cost of education for financial aid purposes. Effective date: June 13, 2001.

SB 509  Moncrief, Fort Worth
        Coleman, Houston

Summary: Relating to an asbestos survey before issuance of a building permit to renovate or demolish certain buildings.

Summary: Amends V.T.C.S., Article 4477-3a, by adding Section 13. If a municipality requires a person to obtain a permit before renovating or demolishing a public building, the municipality may not issue the permit unless the applicant provides acceptable evidence that an asbestos survey of the building has been completed by a person licensed to perform the survey, or a certification from a licensed engineer or architect stating that he has reviewed the materials safety data sheet and the plans of the building and finds that all parts of the building affected by the planned renovation or demolition do not contain asbestos. This amendment applies only to permits for renovation or demolition of public buildings issued on or after January 1, 2002. Effective date: September 1, 2001.

SB 510  Armbrister, Victoria
        Walker, Plains

Summary: Relating to the procurement methods a political subdivision or a related entity or certain educational institutions may use.

Summary: Amends Local Government Code, Chapters 252, 262, 271, and 292; Government Code, Section 2254.002; Education Code, Sections 44.031(b), 44.0315, 44.035(b), 44.036(c) and (e), 51.780(c) and (f); adds Section 44.043. This bill authorizes municipalities, counties, or river authorities to use design-build procedures and other alternative project delivery and contracting methods. The bill amends the section allowing institutions of higher education to utilize the design-build procedures by stating that the board of regents may designate an engineer or architect independent of the design-build firm to act as the owner’s representative for the duration of the work on the facility. If the board does designate such an individual who is not a full-time employee of the institution, the engineer or architect must be selected using the Professional Services Act. During the first phase of selection of a design-build firm, each offeror must certify to the board that each engineer or architect has been selected in a manner consistent with the Professional Services Act. Effective Date: September 1, 2001.

SB 516  Madla, San Antonio
        Hawley, Portland

Summary: Relating to creating the rural physician relief program and to licensing of physicians intending to practice in rural areas or other underserved or shortage areas.

Summary: Amends Health and Safety Code by adding Sections 106.251—106.258; Occupations Code, Sections 155.056 and 155.059. This bill requires the Center for Rural Health Initiatives to establish a rural physician relief program. The center is allowed to charge a fee for rural physicians to participate in the program. The center is directed to recruit physicians to participate in the programs relief physicians by concentrating on physicians involved in accredited residency programs in general pediatrics, general internal medicine, and general family medicine; physicians registered on the center's locum tenens registry; physicians employed at a medical school, and physicians working for private local tenens groups. Effective date: Vetoed by the Governor on June 17, 2001.

SB 531  Nelson, Flower Mound
        Janek, Houston

Summary: Relating to requiring the Department of Health in consultation with the General Services Commission to study the cost and feasibility of installing automated external defibrillators in state buildings.

Summary: NEW LAW. The Department of Health, in consultation with the General Services Commission, is directed to conduct a study regarding the purchase and placement of automated external defibrillators in buildings owned or leased by the state. The report is due not later than November 1, 2002. Effective date: September 1, 2001.

SB 538  Lucio, Brownsville
        Oliveira, Brownsville

Summary: Relating to a study of duties performed by public school counselors.

Summary: NEW LAW. This bill directs the comptroller to conduct a comprehensive statewide study of the duties of public school counselors. The study must
include a determination of the percentage of total employment time spent by counselors on performing their duties including the provision of information concerning career awareness and postsecondary education. Effective date: September 1, 2001.

SB 553 Duncan, Lubbock
Gray, Galveston

Summary: Relating to the creation of a task force to review the methods and procedures used to evaluate a criminal defendant’s competency to stand trial and use of the insanity defense.

SB 554 Carona, Dallas
Solis, J. Gray, Galveston
Harlingen

Summary: New law. The task force established by this bill does include a representative of UTMB at Galveston and a representative of TTUHSC, each of whom must have experience in forensic science, appointed by the executive head of the represented entity. Effective date: May 26, 2001.

SB 555 Ellis, Houston
Junell, San Angelo

Summary: Amends Labor Code by adding Chapter 305. This bill establishes a tuition assistance grant program to be administered by the Texas Workforce Commission for individuals enrolled in proprietary schools, public technical institutes, and other qualified programs which are postsecondary courses of instruction in specific career fields that last at least one academic year and lead to a certificate or degree in the career field. Effective date: September 1, 2001.

SB 556 Ellis, Houston
Junell, San Angelo

Summary: Relating to grants by the Texas Workforce Commission to assist economically disadvantaged persons enrolled in qualified postsecondary career education programs.

SB 557 Ellis, Houston
Junell, San Angelo

Summary: Amends Labor Code, Sections 54.601, 54.602(b), 54.603, and 54.634; adds Section 54.6401 and Subchapter G. This bill establishes a qualified higher education savings plan to be administered by the Prepaid Higher Education Tuition Board with investments in the plan managed by a private firm. This new program and the Texas Tomorrow Fund will be subject to Sunset Commission review in the interim before September 1, 2007. e-Texas, ED-12. Effective date: June 15, 2001.

SB 561 Sibley, Waco
Bosse, Houston

Summary: Relating to indemnification provisions concerning registered architects and licensed engineers in certain construction contracts.

SB 565 Armbrister, Victoria
Capelo, Corpus Christi

Summary: Amends Civil Practice and Remedies Code, Chapter 130 and Local Government Code, Section 271.904. This amendment makes any covenant made by a registered architect or registered engineer in a construction contract void and unenforceable if the covenant or promise provides for the architect or engineer to indemnify or hold harmless an owner or owner's agent or employee from liability for damages due to the negligence of the owner, that arises from personal injury or death, property injury, or any other expense related to the damage. Effective date: September 1, 2001.

SB 572 Moncrief, Fort Worth
Gray, Galveston

Summary: Relating to the reduction of the shortage of registered nurses by establishing a program to increase enrollments in nursing education programs, increasing nursing faculty, and creating a nursing workforce data center.
a master's or other higher degree in nursing if the student demonstrates an intent to teach in a Texas nursing program. The bill amends the existing scholarship program, matching fund program, and loan repayment program to expand the potential recipients to include faculty with master's degrees or doctorates in nursing. It also makes several other technical changes to the criteria for participating in any of these three programs including the geographical area or practice setting of the nurse.

The bill also establishes a Nursing Workforce Data Center maintained by the State Board of Nurse Examiners to address issues of supply and demand in the nursing profession. Effective date: September 1, 2001.

SB 573  Bivins, Amarillo
        Rangel, Kingsville

Summary: Relating to a public awareness campaign to promote the value and availability of higher education.

SB 575  Staples, Palestine
        Sadler, Henderson

Summary: Relating to applicability of the Texas Youth Camp Safety and Health Act to facilities or programs operated by or on the campus of an institution of higher education.

SB 576  West, R. Dallas
        Jones, J. Dallas

Summary: Relating to the University of North Texas System and the component institutions of that system.

SB 583  Duncan, Lubbock
        Janek, Houston

Summary: Relating to liens for certain services provided by physicians.

SB 586  Ogden, College Station
        Alexander, Athens

Summary: Relating to the creation of the Center for Transportation Safety as part of the Texas Transportation Institute.

SB 587  Duncan, Lubbock
        Christian, Center

Summary: Relating to the analysis of, and certain measures that address, the staffing needs of state agencies.
repeals Sections 659.0115, 812.203(a) and (b), 2252.901(b) and (c). The new section in this bill requires each state agency to include in its strategic plan a strategic staffing analysis and develop a workforce plan to address critical staffing and training needs of the agency, including the need for experienced employees to train potential successors. The bill also repeals the legal provisions limiting a retired employee's re-employment compensation to the lesser of $60,000 or the most recent twelve month salary. The bill also eliminates the nine months per year limitation on the length of time a retired employee of the Employees Retirement System may work for the state and not affect the retiree’s annuity payment. 


SB 627 Staples, Palestine
Berman, Tyler

Relating to imposing an intercollegiate athletics fee at the University of Texas at Tyler.

Summary: Amends Education Code by adding Section 54.5342. This bill authorizes the board of regents of the UT System to impose an intercollegiate athletics fee on the students enrolled at UT Tyler. The amount of the fee cannot exceed $7 per semester credit hour for each semester or summer session unless a greater amount is approved by majority vote of those students participating in a general election held at the university for that purpose. The bill does create a maximum amount for each student which is an amount equal to fifteen semester credit hours and a minimum amount of at least six semester credit hours. Effective date: May 4, 2001.

SB 628 Staples, Palestine
Berman, Tyler

Relating to imposing a recreational facility fee at the University of Texas at Tyler.

Summary: Amends Education Code by adding Section 54.5341. This bill authorizes the board of regents of the UT System to impose a recreational facility fee on each student enrolled at UT Tyler. The amount of the fee could not exceed $40 per student for each regular semester and a schedule of prorated amounts for specified summer sessions. The board cannot increase the amount of the fee unless the amount of the increase is approved by a majority vote of the students participating in a general student election held for that purpose. Effective date: May 4, 2001.

SB 640 Duncan, Lubbock
McCall, Plano

Relating to electronic filing of certain tax reports and payments.

Summary: Amends Tax Code, Section 111.063 and adds Sections 111.0625 and 111.0626. These amendments allow the comptroller by rule to require certain taxpayers to report and submit payments electronically. A taxpayer who pays $100,000 or more during the preceding fiscal year will be required to file and pay electronically. e-Texas, EG-7. Effective date: May 4, 2001.

SB 694 Wentworth, San Antonio
McCall, Plano

Relating to the confidentiality of credit card, debit card, charge card, and access device numbers that are collected, assembled, or maintained by a governmental body and of certain e-mail addresses.

Summary: Amends Government Code by adding Sections 552.136 and 552.137. This bill creates two new exceptions to the Public Information Act. A credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential. An e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body is confidential and not subject to disclosure. A member of the public may affirmatively consent to the release of the e-mail address. Effective date: May 26, 2001.

SB 695 Wentworth, San Antonio
Clark, Sherman

Relating to consultations between a governmental body and its attorney.

Summary: Amends Government Code by adding Section 551.129. This bill allows a governmental body to use a telephone conference call, video conference call, or communications over the Internet to conduct a public consultation with its attorney in an open meeting or a private consultation with its attorney in a closed meeting of the governmental body. The public consultation must be an open meeting and must be audible to the public at the location specified in the notice of the meeting. The attorney cannot be an employee of the governmental

SB 697 Wentworth, San Antonio Haggerty, El Paso

Summary: Amends V.T.C.S., Article 3271(a), Sections 8, 13, 16.1, and 20. This bill amends the section regarding continuing education for individuals licensed to practice professional engineering. Another new subsection would allow the board to review a proposal for the procurement of services issued by a governmental entity and issue a finding regarding whether the services are within the scope of the practice of professional engineering for purposes of the Professional Services Procurement Act.

An amendment was added to require the Board of Professional Engineers to develop written guidelines, in consultation with representatives of public and private institutions of higher education, consulting engineers, private industry, and the Coordinating Board that describe a distinction between engineering research conducted by faculty at institutions of higher education and other activities conducted by those faculty that constitute engineering consulting or the offering of engineering services to the public. Effective date: Vetoed by the Governor on June 17, 2001.

SB 731 Brown, B. Lake Jackson Hilbert, Houston

Summary: Amends V.T.C.S., Article 1396-1.01 by adding Article 2.22. This amendment states that an officer of a nonprofit corporation is not liable to the corporation or any other person for an action taken or omission made by the officer in the person’s capacity as an officer unless the officer’s conduct was not exercised in good faith, with ordinary care, and in a manner the officer reasonably believes to be in the best interest of the corporation. Effective date: September 1, 2001.

SB 734 Duncan, Lubbock Woolley Houston

Summary: Amends Government Code by adding Section 322.014. This bill defines state investment fund as any investment fund administered by or under a contract with any state governmental entity, including a fund established by statute or by the Texas Constitution; or administered by or under a contract with a public retirement system, or an institution of higher education, or any other entity that is part of state government. The Legislative Budget Board will be required to evaluate and publish an annual report on the risk-adjusted performance of each state investment fund that in the opinion of the board contains a relatively large amount of assets belonging to or administered by the state. Effective date: June 16, 2001.

SB 743 Lucio, Brownsville Coleman, Houston

Summary: Amends Education Code, Sections 54.060 and 56.053(a); adds Section 54.069. This bill expands the present exemption from nonresident tuition for students from Mexico who demonstrate financial need to pay resident tuition to now include courses that are taught as part of a graduate degree program in public health and conducted in a county immediately adjacent to Mexico.

This bill also amends the emergency loan provision which currently requires that the maximum amount per student be equal to the tuition and required fees for the student and now the maximum loan amount per student cannot be greater than the amount equal to tuition and required fees.

The bill also allows employees of embassies in Mexico to pay resident tuition at institutions of higher education in Texas. Effective date: May 14, 2001.

SB 789 Moncrief, Fort Worth Maxey, Austin

Summary: Amends Government Code, Chapter 531; Health and Safety Code, Chapters 62 and 533; Insurance Code, Article 21.53F; Occupations Code, Chapter 153; Relating to the regulation and reimbursement of telemedicine medical services.
Utilities Code, Chapters 57 and 58; Human Resources Code, Chapter 32. This bill requires the Health and Human Services Commission (HHSC) to adopt rules regarding the reimbursement from the state Medicaid program for medical services performed using telemedicine. The bill also requires the HHSC and the TIF Board to adopt joint rules to establish minimum standards for an operating system used in the provision of telemedicine medical services by a health care facility participating in the state Medicaid program.

The bill amends the sections relating to qualified medical services eligible for reimbursement from the state Medicaid program. This bill amends the sections relating to reimbursements for telemedicine services under existing health benefit plans. The bill also requires an assistance program to provide education concerning the Telecommunications Infrastructure Fund and to assist in facilitating access to funds and programs. HHSC will be required to report not later than December 1 of each even-numbered year to the Speaker of the House and the Lt. Governor on the effects of telemedicine medical services on the Medicaid program in the state.

This bill establishes three pilot programs including a jail diversion program for individuals with mental illness in the criminal justice system, a home health care services telemedicine program, and a program that uses teledentistry and other methods of delivering dental services to students in public schools. Effective date: June 15, 2001.

SB 799  Duncan, Lubbock
        Craddick, Midland

Summary: Relating to requiring state agencies to perform exit interviews with employees.

SB 826  Truan, Corpus Christi
        Grusendorf, Arlington

Summary: Amends Government Code by adding Section 651.007. For purposes of this new section, a state agency is defined to exclude an institution of higher education. The amendments require state agencies to conduct exit interviews with employees who leave employment with the agency. e-Texas, HRM-8. Effective date: September 1, 2001.

SB 837  Shapleigh, El Paso
        Chavez, El Paso

Summary: Relating to the development of a strategic plan by the Border Health Institute.

SB 840  Wentworth, San Antonio
        Ellis, D. Huntsville

Summary: Amends Government Code, Section 552.028(c). This bill defines a correctional facility as a place designated by the law of this state, another state, or the federal government for the confinement of a person arrested for, charged with, or convicted of a criminal offense. Effective date: June 13, 2001.

SB 903  Van de Putte, San Antonio
        Morrison, Victoria

Summary: Amends Education Code by adding Sections 51.831—51.836. The
Coordinating Board is directed to establish the women’s athletic development fund to allocate money to institutions of higher education to support women’s athletic development programs that are operated by the institution on a collaborative basis with one or more public high schools in this state.

The Coordinating Board is also required to conduct a best practices study of women’s athletic development programs currently operated by public institutions of higher education in Texas and other states and shall make the findings available before December 1, 2002. Effective date: September 1, 2001.

SB 940
Bivins, Amarillo
Rangel, Kingsville

Amends Education Code by adding Sections 51.821—51.834. This bill defines participating medical school to include the eight medical and osteopathic schools in Texas. The bill establishes the Joint Admission Medical Program Council which will consist of one faculty employed by and representing each of the participating medical schools. The council is responsible for recruiting eligible undergraduate students for admission to the program; publishing an application process; establishing a process for participating students to be matched to an internship program, applying for admission to a medical school, matching an individual to a medical school, and enrolling in that school; awarding to participating students undergraduate scholarships and summer stipends; awarding graduate scholarships to participating students and nontraditional students; entering into an agreement with each student admitted to the program, each participating medical school, and each general academic teaching institution.

The council shall annually select at least two eligible undergraduate students to be admitted to the program. The council shall allocate 10% of the total program openings on a rotation basis to private or independent institutions of higher education. Other openings will be allocated in proportion to the average size of each institution’s entering freshman class. The council is also directed to match each participating student with an appropriate internship program offered by a participating medical school during the summers immediately following the student’s freshman, sophomore, and junior years. During a participating student’s senior year, the council shall match the student with an appropriate participating medical school as necessary to fill the percentage of enrollment capacity set aside by each medical school under the program. The council is directed to accommodate the preferences of the student to the extent possible.

The council may delegate the performance of the council’s administrative functions, including its matching functions, to the Texas Medical and Dental Schools Application Service operated through the UT System.

To be eligible for admission to the program, an undergraduate student must enroll at a public or private general academic teaching institution; successfully complete 15 semester credit hours at the institution; and meet the criteria established by the council regarding minimum grade point average, financial need and other indication of economic disadvantage, and any other criteria the council considers appropriate.

To be eligible to continue participation in the program, a student must meet criteria established by the council regarding courses taken and minimum grade point average for those courses, progress in those courses, and an acceptable score on the MCAT. The student must also participate in the internship programs and any undergraduate or graduate mentoring programs required by the council.

Each participating medical school must enter into an agreement with the council under which the medical school agrees to select a faculty member to serve on the council, commit faculty and administrative resources to the program, set aside for participating students at least 10% of the medical school’s enrollment capacity for each entering class, admit participating students who are a match to the medical school under the program, provide internship programs for participating students, provide mentoring programs and provide support services.

Each general academic teaching institution must enter into an agreement with the council under which the institution agrees to provide academic counseling to the participating student enrolled at the institution and designate a faculty director.

The council is required to deliver a report to the Governor, Lt. Governor, and
the Speaker of the House not later than December 31 of each even-numbered year. Effective date: June 11, 2001.

SB 989 Ogden, College Station
Williams, The Woodlands

Relating to the mission of Prairie View A&M University.

Summary: Amends Education Code, Section 87.104. This bill strikes some archaic language regarding eligible students at Prairie View. Effective date: May 4, 2001.

SB 998 Madla, San Antonio
Hardcastle, Vernon

Relating to the alternative certification requirements for certain public school teachers.

Summary: Amends Education Code, Section 21.049. This bill prohibits the State Board of Educator Certification from requiring a person employed as a teacher in an alternative education program or a juvenile justice alternative education program to complete an alternative educator certification program prior to taking the appropriate certification examination for at least three years. Effective date: September 1, 2001.

SB 1014 Ogden, College Station
Kolkhorst, Brenham

Relating to the service areas of certain junior college districts.

Summary: Amends Education Code, Sections 130.168 and 130.202. This bill moves the Rockdale ISD from the Blinn County College district service area to the Temple Junior College district service area. Effective date: May 18, 2001.

SB 1037 Ellis, R. Houston
Junell, San Angelo

Relating to authorizing the comptroller to establish a program to permit certain certified public accountants to perform certain audits.

Summary: Amends Tax Code by adding Section 151.0232. This bill allows the Comptroller to establish a program in which a taxpayer hires a certified public accountant who is not employed by the comptroller to perform an audit to determine a taxpayer’s liability for any taxes owed to the state. Effective date: June 13, 2001.

SB 1050 Van de Putte, San Antonio
Longoria, San Antonio

Relating to the regulation of youth camps.

Summary: Amends Health and Safety Code, Sections 141.002(2) and (5), 141.005(a), 141.009, and 141.016. This bill clarifies the definition of “day camp” and “youth camp” to exclude facilities licensed by the Department of Protective and Regulatory Services. The bill also allows the Board of Health to consider rules concerning the records of criminal convictions of camp personnel when establishing the standards for youth camps. The bill increases the daily penalty for a violation from $100 per day to $2,000 per day. Effective date: September 1, 2001.

SB 1053 Shapleigh, El Paso
Chavez, El Paso

Relating to rates and expenditures under the Medicaid and state child health plan programs in the Texas-Mexico border region.

Summary: Amends Government Code by adding Section 531.0221. This bill requires the Commissioner of Health to appoint an advisory committee to develop a strategic plan for eliminating the disparities between the Texas-Mexico border region and other areas of the state in the capitation rates under Medicaid managed care and the child health plan program, fee-for-service per capita expenditures under the Medicaid and the child health plan program for inpatient and outpatient hospital services, and total professional services expenditures per Medicaid recipient younger than nineteen years of age or per child enrolled in the child health plan program. The bill also directs the Health and Human Services Commission to contract with a public university to measure changes in the number of health care providers participating in the Medicaid program or the child health program in the Texas-Mexico border region, to determine the effects of changes in rates and expenditures and to make recommendations regarding whether Medicaid rate increases should be
expanded to include Medicaid services provided to adults in the border region. This report is due not later than December 1, 2004. Effective date: September 1, 2001.

SB 1057  Ellis, R. Houston Rangel, Kingsville

Relating to financial aid programs, including loan repayment programs, for certain students of institutions of higher education or teacher certification programs and for certain classroom teachers.

Amends Education Code, Sections 56.304(e), 56.308, 56.311, 56.351-56.358, 61.702, 61.7021, 61.705, 61.708, and 61.0776 by adding Subsection (f). One of these amendments expands the eligibility period for a person to receive a TEXAS grant from the current limitation of six years to a longer time period upon proof of a hardship or other good cause shown. Another amendment requires the board and the commissioner to develop a plan or set of recommendations to ensure that information on the grant program and other financial aid information is adequately publicized to prospective students and financial aid recipients and their parents.

This bill also eliminates the language relating to a pilot program for alternative certification students in the Teach for Texas Program and make it a permanent program.

In regards to the Teach for Texas Grant Program, these amendments eliminate the requirement that the student must have received a TEXAS grant prior to receiving a Teach for Texas grant and adds other students who have returned to school to enter an educator certification program. The bill adds a new limitation that a student may not receive a Teach for Texas tuition grant for more than three academic years or the equivalent.

The amount of a Teach for Texas grant is equal to four times the current amount of a TEXAS grant for a student enrolled in a general academic teaching institution.

The bill also amends the criteria for classroom teachers to receive loan repayment assistance. The teacher must be employed as a full-time classroom teacher at a preschool, primary, or secondary level in the public schools in this state in an area or field of acute teacher shortage. The minimum amount of repayment assistance that may be awarded in one year to a person is the lesser of $1,000 or the amount of principal and accrued interest that is due on eligible loans in that year. A teacher is limited to a total amount of $5,000 of assistance. Effective date: June 15, 2001.

SB 1074  West, R. Dallas Thompson, Houston

Relating to the prevention of racial profiling by certain peace officers.

Summary: Amends Code of Criminal Procedure by adding Articles 2.131—2.138 and 3.05; Education Code, Section 96.641; Occupations Code, Sections 1701.253 and 1701.402; Transportation Code, Section 543.202. This bill defines law enforcement agency to include any agency of the state that employs peace officers who make traffic stops in the routine performance of the officers' official duties. The bill requires the agency to collect information relating to traffic stops in which a citation is issued and to the arrest resulting from those traffic stops, including information relating to the ethnicity of the individual detained and whether a search was conducted. The amendments require each peace officer who stops a motor vehicle for an alleged violation of the law or ordinance regulating traffic or who stops a pedestrian for any suspected offense to prepare a report regarding the individual detained, the law alleged to have been violated, whether a search was conducted and the results of the search. The bill also requires the Law Enforcement Management Institute to provide additional training to police chiefs regarding racial profiling and monitoring of peace officers' compliance with laws and internal agency policies. Effective date: September 1, 2001.

SB 1091  Ellis, R. Houston Junell, San Angelo

Relating to limitations on payments for certain settlements or judgments.

Summary: Amends Civil Practice and Remedies Code, Sections 109.002, 109.004, and 109.005(a). This bill limits the applicability of this chapter to payments for claims against a state agency under the Tort Claims Act that results from the conduct of the state agency and for indemnification of an employee, member of a governing board, or other officer of a state agency under Chapter 104. These amendments limit the amount a state agency may pay for a settlement or a judgment against a state agency to the limitation imposed by the General
Appropriations Act. The total amount paid by a state agency for a particular claim from appropriated money may not exceed a limitation imposed by the General Appropriations Act on the amount that may be paid. These amendments eliminate the current limits of $5,000 or five percent of the appropriation made to that agency for a fiscal year. Effective date: September 1, 2001.

SB 1100  
Moncrief,  
Fort worth  
Rangel,  
Kingsville  
Relating to the establishment and operation of pilot centers for the advancement of quality in long-term care.

Summary:  
Amends Education Code by adding Section 61.088. This bill authorizes the governing boards of the University of North Texas Health Science Center and Texas Tech University Health Sciences Center to establish at the respective health science center a pilot center for the advancement of quality of long-term care for the purpose of identifying opportunities for research, education, and outreach programs designed to improve the quality of care in long-term care facilities and implementing and evaluating those programs. Before December 1, 2002, governing boards are required to submit a joint written report on the activities conducted by the pilot centers to the legislature. Effective date: June 16, 2001.

SB 1175  
Wentworth,  
San Antonio  
Walker,  
Plains  
Relating to the administration of the weather modification program and grants for weather modification and control activities.

Summary:  
Amends Agriculture Code by adding Chapter 20; Water Code, Chapters 5 and 7. This bill transfers the current weather modification program from the Texas Natural Resource Conservation Commission to the Texas Department of Licensing and Regulation. The bill transfers the current weather modification and control grant program to the Texas Department of Agriculture. The bill does authorize grants to conduct research relating to effectiveness of weather modification and control activities. Effective date: September 1, 2001.

SB 1189  
Ellis, R.  
Houston  
Hochberg,  
Houston  
Relating to an exemption from ad valorem taxation of property owned by nonprofit corporations that provide chilled water and steam to certain health-related institutions of this state.

Summary:  
Amends Tax Code, Section 11.11. The definition for health-related institution in this amendment is a health-related institution supported by the state or federal government, including the Texas A&M University System, the University of Texas System, Texas Woman’s University, and the Children’s Nutrition Research Center. This amendment allows a corporation organized under the Texas Non-Profit Corporation Act that engages exclusively in providing chilled water and steam to an eligible institution to be entitled to an exemption from taxation of the property the corporation owns. Effective date: May 26, 2001.

SB 1190  
Ellis, R.  
Houston  
McCall,  
Plano  
Relating to technology development and transfer by institutions of higher education.

Summary:  
Amends Education Code by adding Sections 153.001—153.008. This bill allows institutions of higher education to establish technology transfer centers to manage, transfer, market, or otherwise commercialize technology owned by the institution or in which the institution owns an interest. The centers will be under the control and management of the governing boards.

In addition, this bill requires a new report regarding the number of and the revenues received from licenses, royalties, fees, cashed-in equity, and other forms of income permitted by these new sections. This report will be based upon information provided by the institutions to the Coordinating Board and due to the legislature not later than December 1 of each even-numbered year. Effective date: September 1, 2001.

SB 1230  
Ellis, R.  
Houston  
Junell,  
San Angelo  
Relating to certain state agency operating plans and strategic plans for information resources management.

Summary:  
Amends Government Code, Sections 531.0273(c), 2054.095(c) and (d), 2054.096(a), 2054.097, 2054.100(a) and (c), 2054.101, 2054.102, 2054.103, and 2054.118(a); repeals Section 2054.098. This bill moves the authority to prescribe the format and the collection of agency strategic plans for information resources and the biennial operating plans for information resources from the
Department of Information Resources to the Legislative Budget Board. In essence, this bill amends the statutes necessary to make the changes that were made in the riders in the current General Appropriations Act. Effective date: September 1, 2001.

SB 1268 Madla, San Antonio Wise, Weslaco

Summary: Relating to a surety bond obtained for a public project and executed by a surety company and to related surety technical assistance services for certain entities.

SB 1268 Amends Government Code, Section 2166.258(b) and adds (c); Section 2253.021 by adding Subsection (f). This bill states that no state agency shall, with respect to any public building or construction contract, require the contractor or subcontractor to procure surety bond specified in connection with such contract or specified by any law from any specific insurance or surety company, agent or broker. To the extent not prohibited by law, the state agency may require a contractor or subcontractor to meet part or all of the other insurance requirements for the project under a negotiated arrangement. Effective date: September 1, 2001.

SB 1294 Van de Putte, San Antonio Solis, J. Harlingen

Summary: Amends Labor Code by adding Section 302.0055. This bill allows the Texas Workforce Commission to establish the Teacher Education and Compensation Helps (T.E.A.C.H.) pilot projects to assist teachers in retaining employment in the field of child care. The program will address scholarships, education, compensation, and retention. The pilot sites should be located in three areas including one urban, one rural, and one border area of the state. Effective date: September 1, 2001.

SB 1300 Cain, Dallas Capele, Corpus Christi

Summary: Amends Occupations Code, Section 156.008(a) and Government Code, Section 311.031(a). This amendment gives a physician a thirty day grace period in order to renew the annual registration permit and not be in violation of practicing medicine without a license. Effective date: June 13, 2001.

SB 1304 Harris, Arlington Geren, River Oaks

Summary: Amends Education Code by adding Sections 105.11—105.127. This bill requires the board of regents of the University of North Texas System to develop a DNA database at UNTHSC for cases involving the report of an unidentified deceased person or a high-risk missing person. The database will be funded from money deposited to the credit of the Compensation to Victims of Crime Fund and appropriated by the legislature. Effective date: September 1, 2001.

SB 1355 Armbrister, Victoria Brimer, Fort Worth

Summary: Amends Property Code, Sections 72.102(c) and 72.103. This bill extends the time period from the fifth anniversary to the seventh anniversary of the date on which a money order was issued before a money order is presumed abandoned. Effective date: Section 1 of this Act takes effect June 1, 2004. Section 2 of this Act takes effect June 1, 2002.

SB 1394 Fraser, Horseshoe Bay Hawley, Portland

Summary: Amends Insurance Code, Articles 20C.02, 20C.03, 20C.04, 20C.06, 20C.08 and 20C.14; repeals Article 20C.04(c) and (d). This bill amends the purpose of the statewide Rural Community Health System to direct that the system protect and enhance the rural health care delivery system by establishing a statewide rural health care network, supporting funding to rural communities, enabling
administrative simplification for the benefit of rural providers that participate in various health care plans, and ensuring the inclusion of consumer-oriented attributes important to a successful health care organization. The bill makes several technical changes to accomplish these goals. Effective date: September 1, 2001.

SB 1396  Fraser, Horseshoe Bay McCall, Plano
Relating to the requirement that state agencies notify the Governor’s office of job vacancies.

Summary: Amends Government Code, Section 656.022. This bill eliminates the requirement that Travis county state agencies report to the Governor’s office when a job vacancy occurs or is filled. Effective date: September 1, 2001.

SB 1419  West, R. Dallas Thompson, Houston
Relating to the statute of limitations in certain civil proceedings involving the public institutions of higher education or the Texas Higher Education Coordinating Board.

Summary: Amends Business and Commerce Code, Section 3.118 by adding Subsection (i). The bill provides an exception for institutions of higher education and the Coordinating Board from the six year statute of limitations for the enforcement of checks, cashier’s checks, traveler’s checks, certificates of deposit and other drafts. Effective date: May 22, 2001.

SB 1429  West, R. Dallas Lewis, G. Fort Worth
Relating to establishing a Prairie View A&M University a center for relationship violence prevention and intervention.

Summary: Amends Education Code by adding Section 87.107. This bill establishes the Center for Relationship Violence Prevention and Intervention at Prairie View A&M University. Effective date: September 1, 2001.

SB 1454  Lucio, Brownsville Flores, Mission
Relating to the Texas Food for Health Advisory Council.

Summary: Amends Agriculture Code by adding Chapter 50A. The council created by this bill will have eight members appointed jointly by the Commissioner of Public Health and the Vice Chancellor for TAMUS Agriculture Program and one representative from the Department of Agriculture. In addition to other duties, the council is directed to develop innovative educational programs related to appropriate and safe methods of storing, preparing, and serving fresh produce in cooperation with the Agricultural Experiment Station, TAMUS System, Texas Tech University, UT System, TWU, state agencies, and produce associations. The council is given permissive authority to publish educational materials or other materials developed in conjunction with these same entities. Effective date: September 1, 2001.

SB 1456  Lucio, Brownsville Capeo, Corpus Christi
Relating to the establishment of a Pediatric Diabetes Research advisory committee in the Texas Department of Health.

Summary: NEW LAW. This bill directs the Department of Health, in consultation with the Texas Diabetes Council, to establish a Pediatric Diabetes Research advisory committee. The committee will include one or more research professionals from the academic or biomedical research institutions currently involved in diabetes research. The committee is directed to research pediatric diabetes and medical conditions associated with diabetes, assess state institutions as possible sites for research opportunities, analyze the impact of diabetes on the economy and public health, and make recommendations to state officials concerning research programs and funding alternatives. The report is due to the legislature not later than December 1, 2002. Effective date: May 22, 2001.

SB 1458  Duncan, Lubbock McCall, Plano
Relating to the management of state agency and local government electronic projects, equipment, and contracts, to the purchase and use of certain advanced technological equipment, and to the use of outside personnel by the comptroller of public accounts.

Summary: Amends Government Code, Chapters 552, 2054, 2175, 2177, and 2260; adds new Chapter 2055; Tax Code, Chapter 111; Education Code, Chapter 32; and Transportation Code, Chapter 472. This bill requires the Department of Information Resources to establish an electronic government program
management office to guide and facilitate the implementation of electronic
government projects. The requirements of this new chapter do not apply to
institutions of higher education unless the institution voluntarily chooses to
participate. The program management office shall establish and support
standardized business processes for electronic government projects; identify and
incorporate best practices in state information technology projects; coordinate and
establish standards for electronic government projects involving state agencies; provide risk management and quality assurance projects for electronic
government projects; coordinate with the Legislative Budget Board and the
Comptroller regarding the resource needs and opportunities and approve
expenditures of funds for projects; coordinate quality assurance with the State
Auditor and the LBB; report annually to the legislature; and utilize the West
Texas Disaster Recovery and Operations Center for data operations and
recovery to the extent feasible.

In coordination with the Governor, state auditor, and the LBB, the program
management office shall develop criteria defining electronic government
projects that will be subject to the oversight by the office. The office will be
funded from a portion of the funds appropriated for the projects selected for
central oversight.

The bill does establish the Legislative Oversight Committee for Electronic
Government Projects to oversee the establishment of electronic government
projects that will be appointed by the Speaker of the House and the Lt.
Governor.

The program management office is directed to coordinate with the division of
DIR concerning the ongoing development of the TexasOnline Portal to facilitate
public access to electronic government in this state. (See SB 187).

This bill does establish the Legislative Oversight Committee for Electronic
Government Projects to oversee the establishment of electronic government
projects that will be appointed by the Speaker of the House and the Lt.
Governor.

This bill does provide three new exceptions to the Public Information Act. The
first exception applies to the computer network vulnerability report prepared by
each state agency pursuant to HB 249. The second exception applies to
information that, if released, would give an advantage to a competitor or bidder.
The third category relates to an exception for public power utility competitive
matters.

This bill does amend the exemption for institutions of higher education from the
surplus or salvage property statutes managed by the General Services
Commission. Current law requires institutions of higher education to transfer
materials or equipment that can be used for instructional purposes to public
schools or school districts. Current law also requires that if salvage data
processing equipment is not disposed of in this manner, institutions of higher
education are required to transfer that property to the Department of Criminal
Justice. This bill expands the possible recipients to include an open-enrollment
charter school as a recipient prior to transfer of the property to TDCJ.

The bill also contains language that the legislature continues to retain the
authority to deny or grant a waiver of immunity to suit against a unit of state
government by statute, resolution, or any other means. Effective date: June 15,

SB 1472 Ogden, College Station Williams, The Woodlands

Summary: Relating to the general property deposit paid by a student of a public institution
of higher education.

SB 1498 Harris, Arlington Goodman, Arlington

Summary: Relating to authorizing a recreational facility fee at the University of Texas at
Arlington.

Amends Education Code, Section 54.502(a). This bill makes it permissive for
an institution of higher education to collect the general property deposit from
the students enrolled at the institution in an amount not to exceed $100. Current
law requires the institution to collect the fee in an amount not to exceed $10. Effective date: June 16, 2001.
SB 1536 Madla, San Antonio Maduro, El Paso

Relating to the application of technology in providing certain health services, including certain telemedicine and telehealth services.

Summary:
Amends Government Code by adding Sections 531.055, 531.02161, 531.02171, and 531.02172; repeals Section 531.0217(b); Health and Safety Code by adding Sections 35.041 and 62.157; Utilities Code, Sections 57.042, 57.047, and 58.253; adds Section 57.0471. This bill authorizes the Health and Human Services Commission to establish pilot projects to demonstrate the application of technology in the provision of services relating to (1) providing rehabilitation services, services for the aging or disabled, or long-term care services including community care and support; or (2) telemedicine medical services or telehealth services in areas of this state that are not more than 150 miles from the border with Mexico. The bill directs HHSC to establish policies that permit reimbursement under the state Medicaid and children’s health insurance program for services provided through telemedicine medical services and telehealth services to children with special health care needs.

The bill also requires the commissioner of HHSC to establish an advisory committee to evaluate policies regarding telemedical consultations and pilot programs. The advisory committee must include representatives of health science centers in this state.

The bill further directs the Department of Health to implement policies permitting reimbursement of providers for services performed using telemedicine medical services to children with special health care needs. During the development and implementation of these policies, the department is directed to consult with UTMB at Galveston, TTUHSC, HHSC, providers of telemedicine services, and providers of services to children with special health care needs.

This bill also authorizes the TIF board to award grants to projects or proposals to provide equipment and infrastructure necessary for telemedicine medical services or telehealth services. Effective date: June 14, 2001.

SB 1539 Duncan, Lubbock Isett, Lubbock

Relating to the powers of the Lubbock Reese Redevelopment Authority.

Summary:
Amends Local Government Code, Section 396.005(a) and (c). Current law allows Lubbock Reese Redevelopment Authority to change the current provider of electricity and related services after September 1, 2001. This bill establishes new requirements regarding the delegation of this exercise of power and the provision of electric services. Effective date: June 16, 2001.

SB 1547 Duncan, Lubbock McCall, Plano

Relating to the establishment of an investment advisory board by the comptroller of public accounts.

Summary:
Amends Government Code by adding Section 404.028. This bill requires the comptroller to establish an investment advisory board to advise the comptroller regarding investments under the comptroller’s authority. The comptroller will determine the number of members on the advisory board. Effective date: September 1, 2001.

SB 1596 Bivins, Amarillo Rangel, Kingsville

Relating to the establishment and operation of the Toward Excellence, Access, & Success (TEXAS) grant II program.

Summary:
Amends Education Code by adding Sections 56.351—56.357. This bill establishes the TEXAS II grant program for students enrolled at public junior colleges and public technical institutes. A student will be required to be a resident of the state who shows financial need and be enrolled in an associate degree or certificate program at the institution. To continue to receive the grant,
the student must show satisfactory academic progress towards an associate
degree or certificate. A person receiving a TEXAS II grant may use the money
to pay any usual and customary costs of attendance at an eligible institution.
The institution may disperse all or part of the proceeds of a TEXAS II grant to
an eligible person only if the tuition and required fees incurred by the person
have been paid. The amount of the grant will be the average amount of tuition
and required fees that a resident student enrolled full-time in the program would
be charged. The institution is prohibited from charging these students an
amount of tuition and required fees in excess of the amount of the grant.
Effective date: June 11, 2001.

SB 1759 Armbrister, Relating to the issuance and sale of and security and payment for public
Victoria Capelo, Corpus Christi securities.

Summary: Amends Government Code, Chapters 1201, 1207, 1371, and 1502; Education
Code, Section 55.16. The bill authorizes the board of regents to pledge and use
any revenue or money under the board’s control to secure or pay obligations
under this chapter or other law unless expressly provided by law that specified
money under the control of the board is not considered revenue funds. The
board is authorized to fix each rental, rate, charge, or fee in an amount the board
determines necessary to pay or provide, for each activity or service for which
the rental, rate, charge, or fee is imposed. The bill contains nonmandatory
language that states that all acts and proceedings of each board, relating to the
establishment and collection of rates, rentals, charges, and fees are validated as
of the dates they occurred. This provision would not impact any proceeding
currently in litigation or that has been held invalid by a final judgment of a
court. (See HB 658). Effective date: September 1, 2001.

SB 1797 Carona, Relating to an exemption from the licensure provisions of the Texas
Dallas Capelo,
Goolsby, Dallas Engineering Practice Act for certain research or instructional work.

Summary: Amends V.T.C.S., Article 3271a, Sections 2(4), 12(c), and 20(a). For
individuals who begin teaching engineering on or after September 1, 2001, this
bill will provide an exemption from the licensure provision of the Engineering
Practice Act provided that the individual is employed by a public or private
institution of higher education who is performing research or instructional work
within the scope of his/her employment by the institution. Teaching
engineering will not be construed as active practice of engineering work for
these individuals. Effective date: June 17, 2001.

SB 1814 Ellis, R Relating to the tuition for law school and graduate pharmacy courses at public
Houston Rangel, institutions of higher education.
Kingsville

Summary: Amends Education Code, Section 54.008. This bill also authorizes the
governing board of an institution of higher education to increase the board
authorized graduate or professional tuition at the pharmacy schools and law
schools. The governing board may set the graduate or professional pharmacy
program tuition at a rate of not more than three times the state rate. The
governing board is authorized to set tuition for the law school at a rate that is not
more than three times the current $80 per semester credit hour. Effective date:

SB 1818 Bivins, Relating to the authority of the board of regents of the Texas A&M University
Amarillo Telford, relating to real property, permanent improvements, and eminent domain.
Dekalb

Summary: Amends Education Code, Section 85.23 and adds Section 85.32. State law does
currently grant the board of regents of the Texas A&M University System the
power or eminent domain. The power of eminent domain is addressed by
means of an individual university within the university system. This power is
granted to the governing boards of the University of Texas System and the
Texas State University System. This bill grants the same powers and duties of
eminent domain to the A&M board. Effective date: September 1, 2001.

SB 1840 Van de Putte, Relating to the study regarding to operation of the University of Texas at San
San Antonio Antonio and the University of Texas Health Science Center at San Antonio as a
Puente, single research university.
San Antonio

Summary: Amends Education Code by adding Section 65.47. This bill directs the UT
System board of regents with the assistance of the Coordinating Board to
conduct a study to evaluate the feasibility and potential benefits of operating UTSA and UTHSC at San Antonio as a single research university. The report is due to the legislature on or before October 1, 2002. Effective date: June 13, 2001.
<table>
<thead>
<tr>
<th>SCR 21</th>
<th>Lucio, Brownsville Wise, Weslaco</th>
<th>Memorializing Congress to develop a treaty or agreement with Mexico to address health issues of mutual concern.</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 1186</td>
<td>West, Dallas</td>
<td>Directing deans of public law schools in Texas to study ways to enhance the representation of students from low-income backgrounds and report to the Texas Senate Education Committee.</td>
</tr>
<tr>
<td>Summary:</td>
<td></td>
<td>This resolution directs the deans of the four public law schools in Texas to study the issues related to increasing representation of economically disadvantaged students in Texas public law schools. This report is due not later than December 31, 2002 and is to be filed with the Senate Education Committee.</td>
</tr>
</tbody>
</table>