

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/30/2001  
Date

Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 956 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

West (Chair) Ryan Wal

Branch (Chair) [Signature]

Shapiro [Signature]

Miller [Signature]

[Signature]

[Signature] Biddings

Ames [Signature] - [Signature] [Signature]

[Signature]  
On the part of the Senate

[Signature] Myra Crowner  
On the part of the House

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

S.B. No. 956

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of a law school in the city of Dallas  
3 by the University of North Texas System.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 105.001, Education Code, is amended to  
6 read as follows:

7 Sec. 105.001. UNIVERSITY OF NORTH TEXAS SYSTEM. The  
8 University of North Texas System is composed of:

9 (1) the University of North Texas;

10 (2) the University of North Texas Health Science  
11 Center at Fort Worth; ~~and~~

12 (3) the University of North Texas at Dallas; and

13 (4) the University of North Texas at Dallas College of  
14 Law.

15 SECTION 2. Section 105.151, Education Code, is amended by  
16 adding Subsection (c-1) and amending Subsection (d) to read as  
17 follows:

18 (c-1) Venue for a suit filed solely against the University  
19 of North Texas at Dallas College of Law or against officers or  
20 employees of the University of North Texas at Dallas College of Law  
21 is in Dallas County.

22 (d) In case of a conflict between Subsection (a), (b), ~~or~~  
23 (c), or (c-1) and any other law, Subsection (a), (b), ~~or~~ (c), or  
24 (c-1) controls.

1 SECTION 3. Subchapter J, Chapter 105, Education Code, is  
2 amended by adding Section 105.502 to read as follows:

3 Sec. 105.502. UNIVERSITY OF NORTH TEXAS SYSTEM COLLEGE OF  
4 LAW. (a) The board may establish and operate a school of law in  
5 the city of Dallas as a professional school of the University of  
6 North Texas System.

7 (b) In administering the law school, the board may prescribe  
8 courses leading to customary degrees offered at other leading  
9 American schools of law and may award those degrees.

10 (c) Until the University of North Texas at Dallas has been  
11 administered as a general academic teaching institution for five  
12 years, the board shall administer the law school as a professional  
13 school of the system. After that period, the law school shall  
14 become a professional school of the University of North Texas at  
15 Dallas. Until the law school becomes a professional school of the  
16 University of North Texas at Dallas, the law school:

17 (1) is considered an institution of higher education  
18 under Section 61.003 for all purposes under other law; and

19 (2) is entitled to formula funding as if the law school  
20 were a professional school of a general academic teaching  
21 institution.

22 (d) Before the board establishes a law school under this  
23 section, but not later than June 1, 2010, the Texas Higher Education  
24 Coordinating Board shall prepare a feasibility study to determine  
25 the actions the system must take to obtain accreditation of the law  
26 school. The Texas Higher Education Coordinating Board shall  
27 deliver a copy of the study to the chair of each legislative

1 standing committee or subcommittee with jurisdiction over higher  
2 education.

3 (e) The board may solicit and accept gifts, grants, and  
4 donations from any public or private source for the purposes of this  
5 section.

6 SECTION 4. Subchapter C, Chapter 61, Education Code, is  
7 amended by adding Section 61.0665 to read as follows:

8 Sec. 61.0665. STUDY REGARDING ESTABLISHMENT OF LAW SCHOOLS.

9 (a) The board shall conduct a study to examine the need for and  
10 feasibility of establishing a public law school in areas of the  
11 state where a law school is not located, including the Texas-Mexico  
12 border region. The study shall be conducted using the same criteria  
13 used for determining the need for and feasibility of establishing  
14 the University of North Texas at Dallas College of Law.

15 (b) Not later than November 1, 2010, the board shall report  
16 the results of the study required by Subsection (a) to the governor,  
17 lieutenant governor, speaker of the house of representatives, and  
18 presiding officer of each legislative standing committee with  
19 primary jurisdiction over higher education.

20 (c) This section expires January 31, 2011.

21 SECTION 5. If this Act receives a vote of at least  
22 two-thirds of the membership of each house of the legislature, the  
23 University of North Texas at Dallas College of Law created under  
24 Section 105.502, Education Code, as added by this Act, is entitled  
25 to participate in the funding provided by Section 17, Article VII,  
26 Texas Constitution.

27 SECTION 6. This Act does not make an appropriation. This

1 Act takes effect only if a specific appropriation for the  
2 implementation of the Act is provided in a general appropriations  
3 act of the 81st Legislature.

4 SECTION 7. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2009.

**Senate Bill 956**  
**Conference Committee Report**  
**Section-by-Section Analysis**

SENATE VERSION	HOUSE VERSION	CONFERENCE
SECTION 1. Amends Section 105.001, Education Code, to add the University of North Texas <i>at Dallas</i> College of Law to the institutions that comprise the University of North Texas System.	Same as Senate version, except refers to the University of North Texas College of Law.	Same as Senate version
SECTION 2. Adds Section 105.151(c-1) and amends Section 105.151(d), Education Code. (c-1) Specifies the venue for a suit filed solely against the University of North Texas <i>at Dallas</i> College of Law or against officers or employees of the university. (d) Makes conforming changes.	Same as Senate version, except refers to the University of North Texas College of Law.	Same as Senate version.
SECTION 3. Adds Section 105.502, Education Code, UNIVERSITY OF NORTH TEXAS SYSTEM COLLEGE OF LAW, relating to the establishment, operation, and administration of a school of law in the city of Dallas as a professional school of the University of North Texas System. Among other provisions:	Same as Senate version, except as follows:	Same as Senate version.
(e) Authorizes the board of regents to solicit and accept gifts, grants, and donations from any public or private source for establishing, operating, and administering a law school.	No equivalent provision.	Same as Senate version.
No equivalent provision.	SECTION 4. Adds Section 55.1775, Education Code, UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS, to authorize the board of	Same as Senate version.

**Senate Bill 956**  
**Conference Committee Report**  
**Section-by-Section Analysis**

SENATE VERSION

HOUSE VERSION

CONFERENCE

regents of the University of North Texas System to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, or certain other facilities for the law school established in the city of Dallas by the University of North Texas System, to be financed by the issuance of certain bonds and sets out procedures for the payment of those bonds and transfer of funds to meet those obligations.

No equivalent provision.

SECTION \_\_. Adds Section 61.0665, Education Code, STUDY REGARDING ESTABLISHMENT OF LAW SCHOOLS, to add a temporary provision, set to expire January 31, 2011, requiring the board to conduct a study to examine the need for and feasibility of establishing a public law school in areas of the state where a law school is not located, including the Texas-Mexico border region. Sets out the criteria to be used in conducting the study and requires the board to report the results of the study to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each legislative standing committee with primary jurisdiction over higher education.

SECTION 4. Same as House version.

SECTION 4. Adds a provision entitling the University of North Texas *at Dallas* College of Law to participate in the funding provided by Section 17, Article VII, Texas Constitution, if the bill receives a vote of at least two-thirds of the membership of each house of the legislature.

SECTION 5. Same as Senate version, except refers to the University of North Texas College of Law.

SECTION 5. Same as Senate version.

**Senate Bill 956**  
**Conference Committee Report**  
**Section-by-Section Analysis**

SENATE VERSION

HOUSE VERSION

CONFERENCE

SECTION 5. Adds a provision clarifying that the bill does not make an appropriation and that its provisions take effect only if a specific appropriation for the implementation of the bill is provided in a general appropriations act of the 81st Legislature.

No equivalent provision.

SECTION 6. Same as Senate version.

SECTION 6. Effective date.

Same as Senate version.

SECTION 7. Same as Senate version.



**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

May 30, 2009

**TO:** Honorable David Dewhurst , Lieutenant Governor, Senate  
 Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** SB956 by West (relating to the establishment of a law school in the city of Dallas by the University of North Texas System. ), **Conference Committee Report**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB956. Conference Committee Report: a negative impact of (\$5,909,839) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$1,914,478)
2011	(\$3,995,361)
2012	(\$4,629,385)
2013	(\$4,432,838)
2014	(\$4,728,300)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Revenue Gain from Est Oth Educ & Gen Inco 770	Probable (Cost) from EST OTH EDUC & GEN INCO 770	Probable Revenue Gain from Institutional Funds 997
2010	(\$1,914,478)	\$0	\$0	\$0
2011	(\$3,995,361)	\$112,500	(\$112,500)	\$704,076
2012	(\$4,629,385)	\$371,064	(\$371,064)	\$1,467,223
2013	(\$4,432,838)	\$520,914	(\$520,914)	\$2,548,739
2014	(\$4,728,300)	\$871,108	(\$871,108)	\$2,657,276

Fiscal Year	Probable (Cost) from Institutional Funds 997	Change in Number of State Employees from FY 2005
2010	\$0	15.0
2011	(\$704,076)	23.0
2012	(\$1,467,223)	26.0
2013	(\$2,548,739)	30.0
2014	(\$2,657,276)	33.0

**Fiscal Analysis**

The bill would allow the Board of Regents of University of North Texas System to establish and operate a school of law in the city of Dallas. Under provisions of the bill, the Higher Education Coordinating Board would be required to conduct a feasibility study to determine the actions the University of North Texas System must take to obtain accreditation of the law school. The HECB would also conduct a study on the feasibility of establishing a public law school in areas of the state, including the Texas-Mexico border region, where a law school is not located using the same criteria.

### **Methodology**

Although the bill does not specify how construction of the law school will be funded for purposes of this fiscal note it is assumed that existing facilities will be used to house the students. The fiscal impact of the bill will be broken down between faculty and maintenance costs.

The University of North Texas System indicates that in fiscal year 2010 they will need to hire seven faculty and eight administrative staff. Total costs for these fifteen FTEs is \$1,556,193. This amount includes salaries in the amount of \$1,210,386 and employee retirement and insurance in the amount of \$345,8071. There would also be approximately \$358,285 for operating expenses.

In fiscal year 2011, the University of North Texas System indicates they would need to hire additional faculty and administrative staff in preparations for the first entering class. Eight additional FTEs would be hired including, seven new faculty members and one new administrative member. The total cost for all twenty-three FTEs is \$2,523,547 for salaries and \$720,977 for employee benefits. There would also be other operating costs including \$1,567,413 for operation expenses. There would be increases in faculty and administrative staff in the future years reaching 33 FTEs in fiscal year 2014 as well as operating expenses as the law school grows in enrollment.

While General Revenue funding would be the only method of financing for fiscal year 2010, beginning in fiscal year 2011, statutory tuition (Fund 770) and institutional funds (including designated tuition and other fees) will be used to support the operation of the law school. Beginning in fiscal year 2012, the law school would be eligible for formula funding. The University of North Texas system indicates that the law school will generate \$437,743 in formula general revenue in fiscal year 2012 and fiscal year 2013 and \$1,488,324 in fiscal year 2014. The formula funding has been included in the costs associated with the bill.

The Higher Education Coordinating Board indicates that outside consultants, who are experienced with the full procedures of both ABA and SACS accreditation, would be needed for the feasibility studies. These costs would be absorbed within current resources.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration, 352 Bond Review Board

**LBB Staff:** JOB, JSp, RT, GO, KK