

CHAPTER 26

S.B. No. 325

An Act relating to the engineering excellence fund and its distribution and use; requiring certain reports; amending Sections 51.504, 51.505, 51.507, and 51.509 and adding Subsection (d) to Section 51.503, Education Code.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 51.503, Education Code, is amended by adding Subsection (d) to read as follows:

“(d) The Coordinating Board, Texas College and University System, shall adopt rules for the administration of the engineering excellence matching money program.”

SECTION 2. Sections 51.504 and 51.505, Education Code, are amended to read as follows:

“Section 51.504. DETERMINATION OF CRITICAL NEEDS. (a) For each [the 1984] fiscal year [and thereafter], each eligible institution shall annually prepare and submit to the coordinating board [Coordinating Board, Texas College and University System;] a list of proposed critical needs for engineering and related equipment. The coordinating board shall adopt any guidelines necessary relating to submission of the lists.

“(b) From the lists submitted under Subsection (a) of this section, the coordinating board shall compile a list of the critical needs of the eligible institutions [Not later than July 15 of each year, the coordinating board shall submit to the Legislative Budget Board its findings as to the critical needs of each eligible institution for engineering and related equipment. The findings must include an estimate of the cost of each item.

“(c) [Not later than August 31 of each year, the Legislative Budget Board shall approve a list of critical needs of each eligible institution for engineering and related equipment. The list must include the estimated cost of each approved item].

“Section 51.505. DISTRIBUTION AND DISBURSEMENT OF FUND. (a) Except as provided by Subsection (b) of this section, an eligible institution that deposits an eligible gift to the credit of the gifts account of the fund is entitled to receive:

“(1) not less than one-half of the amount of the eligible gift;

“(2) not less than one-half of the amount of matching money associated with the gift; and

“(3) the institution’s proportionate share of the remaining portion of the eligible gift and the matching money associated with the gift.

“(b) If the commissioner determines that giving the amount required by Subsection (a) of this section to the institution would cause the institution to receive from the engineering excellence fund an amount that exceeds the total cost of the equipment on the institution’s list of critical needs for that year, the commissioner may provide that less than one-half of the gift and less than one-half of the matching money be given to the institution.

“(c) If an eligible gift is received for deposit in the fund and is not given by or through an eligible institution, the total amount of the gift and the matching money associated with the gift shall be proportionately distributed to the eligible institutions.

“(d) Each year, the commissioner shall periodically distribute the money in the gifts account, combined with state matching money from the appropriations account, to each eligible institution in accordance with this section and rules of the coordinating board [proportion to its approved critical needs for engineering and related equipment].

“(e) [(b)] Disbursements from the fund shall be made by the comptroller of public accounts on the basis of vouchers approved by the commissioner.”

SECTION 3. Sections 51.507 and 51.509, Education Code, are amended to read as follows:

“Section 51.507. REPORT OF GIFTS. An eligible gift received by an eligible institution and the use of the gift and the matching money associated with the gift shall be reported to the commissioner in the manner specified by the commissioner.”

“Section 51.509. USE OF FUND. An eligible institution may use the money it receives from the fund only for the purchase of engineering and related capital equipment that is included in the list of critical needs submitted by the institution for the fiscal year in which the money is received.”

SECTION 4. This Act takes effect September 1, 1985, and applies to an eligible gift received under Subchapter J, Chapter 51, Education Code, on or after that date.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on February 25, 1985, by a viva-voce vote; passed the House on March 28, 1985, by a non-record vote.

Approved: April 5, 1985

Effective: September 1, 1985