

CHAPTER 359

S.B. No. 251

AN ACT

relating to the conversion of the McAllen extension center of the Texas State Technical College System to a joint-county junior college.

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

SECTION 1. Subchapter C, Chapter 130, Education Code, is amended by adding Section 130.0311 to read as follows:

Sec. 130.0311. SOUTH TEXAS COMMUNITY COLLEGE. (a) The McAllen extension center of the Texas State Technical College System is converted to a joint-county junior college located in Hidalgo and Starr counties to be known as South Texas Community College.

(b) South Texas Community College's territory consists of the area within the boundaries of Hidalgo and Starr counties.

(c) South Texas Community College is governed by an initial board of trustees composed of seven members appointed by the governor to serve until the earlier of August 31, 2000, or the date that an election is held at which a majority of the votes cast at the election favor the confirmation of the college.

(d) Not later than September 1, 1993, the governor shall appoint at least one member of the initial board of trustees from Hidalgo County and at least one member from Starr County. A trustee shall, during the trustee's term of office, reside in the county from which the trustee was appointed.

(e) A vacancy on the initial board of trustees shall be filled in the same manner as the original appointment for the unexpired term. To be eligible for appointment, the individual must be a resident of the county from which the original appointment was made.

(f) The board of trustees may employ staff to operate South Texas Community College.

(g) Notwithstanding Section 130.003 of this code, South Texas Community College is not required to levy and collect ad valorem taxes, to comply with other laws, rules, and regulations governing the establishment of public junior colleges, or to be certified as a public junior college under Section 61.063 of this code to be eligible for and to receive a proportionate share of the appropriation under Section 130.003 of this code.

(h) Notwithstanding Sections 130.032–130.039 and 130.042–130.044 of this code, the board of trustees of South Texas Community College shall call and hold an election within Hidalgo and Starr counties not later than January 1, 1996, to confirm the creation of the college and to authorize the election of the board of trustees from single-member districts established by the board of trustees, the issuance of bonds, and the imposition of taxes.

(i) Notice of the election shall state the day and places for holding the election and the proposition to be voted on and shall list the appointed board of trustees. The board of trustees shall publish the notice of the election one time in one or more newspapers of general circulation in Hidalgo and Starr counties. The notice must be published before the 35th day before the date set for the election.

(j) The ballot shall specify that if South Texas Community College is confirmed:

- (1) the board of trustees must be composed of at least one trustee for each county;*
- (2) the trustees must be elected from single-member districts;*

(3) the board of trustees may contract with The University of Texas—Pan American to provide remedial and lower-level courses; and

(4) the board of trustees may contract with public schools to provide technical preparation courses.

(k) Immediately after the election, the presiding judge of each polling place shall deliver returns of the election to the board of trustees, and the board of trustees shall canvass the returns and declare the result. If a majority of the votes cast at the election favor confirmation of South Texas Community College, the board of trustees shall declare the college confirmed and enter the results in its minutes.

(l) If a majority of the votes cast at the election are against the confirmation of South Texas Community College, the board of trustees shall declare that the confirmation of the college was defeated and shall enter the results in its minutes. If a majority of the voters at the election vote against the confirmation of South Texas Community College, the board of trustees may call and hold additional confirmation elections.

(m) If South Texas Community College is not confirmed in accordance with this section before August 31, 2000, the college is abolished on that date.

(n) This section expires January 1, 2001.

SECTION 2. (a) Not later than the 30th day after the date that a quorum of the initial board of trustees of South Texas Community College has qualified for office, the governing board of the Texas State Technical College System shall transfer the records, contracts and other obligations, and real and personal property of the McAllen extension center to the initial board of trustees of South Texas Community College.

(b) In contracts or other obligations transferred under this section, the board of trustees of South Texas Community College is substituted for and acts in the place of the governing board of the Texas State Technical College System.

(c) On the date that a quorum of the initial board of trustees of South Texas Community College has qualified for office, the unexpended and unobligated balance of the appropriation for the fiscal biennium beginning September 1, 1993, to Texas State Technical College—Harlingen for the McAllen extension center and the McAllen physical plant is transferred and reappropriated to South Texas Community College to operate the college.

(d) The initial board of trustees of South Texas Community College shall direct the secretary of state to publish in the Texas Register notice of:

(1) the creation of the college;

(2) the date that a quorum of the initial board has qualified for office; and

(3) the abolition of the McAllen extension center of the Texas State Technical College System.

SECTION 3. Subsection (a), Section 135.02, Education Code, is amended to read as follows:

(a) The Texas State Technical College System is composed of:

(1) a system office located in the city of Waco in McLennan County;

(2) a campus located in the city of Amarillo in Potter County;

(3) a campus located in the city of Harlingen in Cameron County;

(4) a campus located in the city of Sweetwater in Nolan County;

(5) an extension center located in the city of Marshall in Harrison County; [and]

(6) [(5)] a campus located in the city of Waco in McLennan County;

(7) [(6)] extension centers in the city of Brownwood [McAllen] in Brown [Hidalgo] County and the city of Abilene in Taylor County and an extension program offered through a rural technology center in the city of Breckenridge in Stephens County; and

(8) [(7)] other campuses assigned to the system from time to time by specific legislative Act.

SECTION 4. (a) Except as otherwise provided by this section, this Act takes effect immediately.

(b) Sections 2 and 3 of this Act take effect on the date that a quorum of the initial board of trustees of South Texas Community College has qualified for office. If a quorum of the initial board of trustees of South Texas Community College has not qualified for office before August 31, 2000, Sections 2 and 3 of this Act have no effect.

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, and that this Act take effect and be in force according to its terms, and it is so enacted.

Passed the Senate on February 22, 1993: Yeas 30, Nays 0; the Senate concurred in House amendment on May 25, 1993: Yeas 31, Nays 0; passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas; passed the House, with amendment, on May 22, 1993, by a non-record vote; passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

Approved May 31, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment, and as provided in § 4(b).