

CHAPTER 264

S.B. No. 419

AN ACT

relating to the University of North Texas.

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

SECTION 1. Subchapter A, Chapter 105, Education Code, is amended by adding Section 105.02 to read as follows:

Sec. 105.02. DEFINITIONS. In this chapter:

- (1) "Board" means the board of regents of the University of North Texas.*
- (2) "University" means the University of North Texas.*

SECTION 2. Subchapter C, Chapter 105, Education Code, is amended by amending Sections 105.41 and 105.44 and adding Sections 105.43 and 105.46 through 105.50 to read as follows:

Sec. 105.41. GENERAL POWERS AND DUTIES. (a) The board shall manage and control the university.

(b) The board may:

- (1) erect, equip, and repair university buildings;*
- (2) purchase libraries, furniture, equipment, fuel, and supplies necessary to operate the university;*
- (3) employ and discharge personnel, including faculty, to carry out the powers and duties of the university;*
- (4) adopt rules and policies for the administration of its powers and duties;*
- (5) perform other acts that contribute to the development of the university or the welfare of university students; and*

(6) *delegate a power or duty of the board to an officer, employee, or committee designated by the board* [~~EXTENT OF POWERS. With respect to the management and control of the university, the board has the same powers and duties that are conferred on the Board of Regents, State Senior Colleges, with respect to institutions in that system.~~].

Sec. 105.43. **ADMISSIONS, COURSES, AND DEGREES.** (a) *The board may prescribe the number of students that may be admitted to a course, department, school, college, or degree program under its governance.*

(b) *The board, with the approval of the Texas Higher Education Coordinating Board, may prescribe courses leading to customary degrees as are offered at leading American educational institutions and may award those degrees and their equivalents.*

(c) *A new department, school, or degree program may not be instituted without the prior approval of the Texas Higher Education Coordinating Board.*

Sec. 105.44. **EMINENT DOMAIN: RESTRICTION.** (a) *The board may exercise the power of eminent domain to acquire land for the use of the university.*

(b) *The board must exercise the power of eminent domain in the manner provided by Chapter 21, Property Code, but the board is not required to provide a bond for appeal or a bond for costs.*

(c) *The board may not use the power of eminent domain to acquire land that is dedicated to a public use by another governmental entity.*

Sec. 105.46. **FUNDS RECEIVED FOR TRUST SERVICES.** (a) *The board may deposit in an appropriate university account outside the state treasury all funds received as administrative fees or charges for services rendered in the management or administration of a trust estate under the control of the university.*

(b) *The funds under Subsection (a) of this section may be spent by the board for any educational purpose of the university.*

Sec. 105.47. **DISBURSEMENT OF FUNDS.** (a) *Except as otherwise provided by law, the board shall disburse all appropriations to the university.*

(b) *Except as otherwise provided by law, the board may adopt rules for:*

- (1) *the disbursal of appropriations and other funds;*
- (2) *the auditing and approval of university accounts; and*
- (3) *the issuance of university vouchers and warrants.*

Sec. 105.48. **UNIVERSITY PROPERTY.** (a) *The board has the sole and exclusive management and control of university lands.*

(b) *The board may acquire by purchase, donation, exchange, condemnation, or otherwise:*

- (1) *land, including improvements, for the use of the university; and*
- (2) *other real property that is necessary or convenient to carry out the purposes of state-supported institutions of higher education.*

(c) *Except as otherwise provided by law, the board may sell, exchange, lease, or dispose of any land or other real property owned by or acquired for the board or the university.*

Sec. 105.49. **VENUE AND SERVICE OF PROCESS.** (a) *Except as otherwise required by law, venue for a suit filed against the university, the board, or officers or employees of the university is in Denton County.*

(b) *Service of citation and other required process must be made on the attorney general and on an individual named by board rule as a representative of the board.*

Sec. 105.50. **CONTRACTS.** (a) *Except as provided by Subsection (b) of this section, a contract with the university must be approved by the board.*

(b) *The board by rule may delegate to a representative of the board the authority to negotiate, execute, and approve a contract with the university.*

(c) *A contract that is not approved in accordance with this section is void.*

SECTION 3. This Act takes effect September 1, 1993, and applies only to actions filed on or after that date. An action filed before September 1, 1993, is governed by the law in effect at the time the action was filed, and that law is continued in effect for that purpose only.

SECTION 4. 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 March 8, 1993, by a viva-voce vote; passed the House on May 11, 1993, by a non-record vote.

Approved May 23, 1993.

Effective Sept. 1, 1993.