AN ACT

relating solely to the transfer of governance, management, and operation of West Texas State University from the board of regents of that institution to the board of regents of The Texas A&M University System.

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

SECTION 1. AMENDMENT. Subchapter B, Chapter 102, Education Code, is amended by adding Section 102.111 to read as follows:

Sec. 102.111. TRANSFER OF GOVERNANCE TO TEXAS A&M SYSTEM.

(a) The organization, control, and management of the university are transferred to the board of regents of The Texas A&M University System if that board and the board of regents appointed for the university under Section 102.11 of this code agree on the transfer not later than December 31, 1989, and the transfer is approved by the Texas Higher Education Coordinating Board not later than March 31, 1990. The transfer takes effect on the date agreed to by the boards and approved by the coordinating board.

(b) If the transfer is agreed to and approved under Subsection (a) of this section, the governance, operation, management, and control of the university, along with all right, title, and interest in the land, buildings, facilities, improvements, equipment, supplies, and property comprising that institution are transferred from the board of regents appointed under Section 102.11 of this code to the board of regents of The Texas A&M University System. The board of regents appointed under
Section 102.11 of this code is abolished on the effective date of
the transfer.

SECTION 2. TRANSITION PROVISIONS. If the organization,
control, and management of West Texas State University are
transferred to the board of regents of The Texas A&M University
System under Section 102.111, Education Code, as added by this Act,
the provisions of Sections 3 through 8 of this Act apply to the
transfer of West Texas State University to that system.

SECTION 3. TRANSFER. The governance, operation, management,
and control of West Texas State University, along with all right,
title, and interest in the land, buildings, facilities,
improvements, equipment, supplies, and property comprising that
institution, are transferred from the board of regents of West
Texas State University to the board of regents of The Texas A&M
University System.

SECTION 4. POWERS AND DUTIES. The board of regents of The
Texas A&M University System shall undertake to govern, operate,
manage, and control West Texas State University and all land,
buildings, facilities, improvements, equipment, supplies, and
property comprising that institution under the powers, duties, and
responsibilities conferred by law on the board of regents of The
Texas A&M University System for the governance, operation,
management, and control of component institutions comprising that
system.

SECTION 5. APPROPRIATIONS. Appropriations made for the use
and benefit of West Texas State University under the governance of
the board of regents of West Texas State University are transferred
to the board of regents of The Texas A&M University System for the
use and benefit of West Texas State University. Other funds held
for the use and benefit of West Texas State University shall
continue to be available for the use and benefit of that
institution notwithstanding the change in governance made by this
Act. SECTION 8. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES.
The SECTION 6. CONTRACTS AND WRITTEN OBLIGATIONS. Contracts and
written obligations of every kind and character, including bonds,
entered into by the board of regents of West Texas State University
for and on behalf of West Texas State University are ratified,
confirmed, and validated. In those contracts and written
obligations, including bonds, the board of regents of The Texas A&M
University System is substituted for and stands and acts in the
place of the board of regents of West Texas State University.

SECTION 7. EMPLOYEE INSURANCE AND OTHER BENEFITS. Any
contract or other agreement with a provider of insurance or
employee benefits that provides coverage for employees of West
Texas State University is not void nor does it terminate on the
effective date of this Act. Any such contract or agreement
remains in full force and effect until its date of expiration
unless it terminates before the expiration date in accordance with
its terms. All persons for whom the insurance is provided on the
effective date of this Act are covered by the insurance in
accordance with the terms of those agreements until the respective
dates of termination or expiration of those agreements. The
persons covered by the agreements who are employees of The Texas A&M University System on the respective termination or expiration dates of those agreements shall be included in any similar agreements that relate to other employees of The Texas A&M University System and are in effect on the termination or expiration dates.

SECTION 8. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES. The transfer of governance, operation, management, and control of West Texas State University from the board of regents of West Texas State University to the board of regents of The Texas A&M University System does not affect:

(1) the credit hours earned by students at those institutions before the effective date of this Act; or

(2) the employment status on the effective date of this Act of the administrative, faculty, or support staff of West Texas State University.

SECTION 9. EFFECTIVE DATE. This Act takes effect November 1, 1989.

SECTION 10. EMERGENCY. 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.
In response to your request for a Fiscal Note on Senate Bill No. 64, as engrossed, First Called Session (relating solely to the transfer of governance, management, and control of West Texas State University from the board of regents of the University of Texas System to the board of regents of the University of Texas at El Paso) the following was determined: The transfer of the responsibility and authority from the board of regents of the University of Texas System to the board of regents of the University of Texas at El Paso would not result in any net savings or direct costs associated with this transfer would be made from formula funding appropriated to the University of Texas System. The costs associated with changes in signs, stationery, or other items, but these costs would be absorbed by the institutions.

There could be some administrative cost savings to the University of Texas System, but these cannot be determined:

There would be no alteration of the constituent costs associated with changes in signs, stationery, or other items, but these costs would be absorbed by the institutions.

Source: Higher Education Coordinating Board; LBB Staff: JD, JMH, AL, LV

Approved:

8-2-89

Date

M.P. Clements

Governor

S.B. No. 64

President of the Senate

Executive Secretary

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

I hereby certify that S.B. No. 64 passed the Senate on July 11, 1989, by a viva-voce vote.

I hereby certify that S.B. No. 64 passed the House on July 14, 1989, by a non-record vote.

FISCAL NOTE

July 13, 1989

TO: Honorable Wilhelmina Delco, Chair Committee on Higher Education House of Representatives Austin, Texas

IN RE: Senate Bill No. 64, as engrossed, First Called Session

FROM: Jim Oliver, Director

in response to your request for a Fiscal Note on Senate Bill No. 64, as engrossed, First Called Session (relating solely to the transfer of governance, management, and control of West Texas State University from the board of regents of the University of Texas System to the board of regents of the University of Texas at El Paso) the following was determined: The transfer of the responsibility and authority from the board of regents of the University of Texas System to the board of regents of the University of Texas at El Paso would not result in any net savings or direct costs associated with this transfer would be made from formula funding appropriated to the University of Texas System. The costs associated with changes in signs, stationery, or other items, but these costs would be absorbed by the institutions.

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