

87th Legislative Review & Update

Jeff Jeter
Vice President
The University of Texas at Arlington



Overall Results 87th Legislative Session

- Roughly 6,927 House and Senate bills were filed this session.
- Only 205 of which were sent to House and Senate Committees on Higher Education.
- Only 1,073 passed both chambers and were sent to the Governor.
- Out of those, roughly 75 or so affect Higher Education in some manner.
- On June 19th Governor Abbott vetoed 20 bills and Article X (Legislative Branch) of the budget.

Statewide measures that passed

- **Statewide Broadband Access:** The bill would create the State Broadband Development Office (SBDO).
- **Teacher Retirement System (TRS):** SB 1 provides \$897.6 million, an increase of \$39.5 million, to maintain current health insurance premiums and benefits for retired teachers enrolled in the TRS-Care program.
- **Stop Local Police Defunding:** HB 1900 & SB 23 establish restrictions and requirements on cities that take steps to reduce appropriations to local law enforcement.
- **Alcohol to Go:** Gov. Abbott signed a bill to permanently allow Texans to include alcohol in take-out orders from restaurants.

Statewide bills that passed (cont.)

- **Social studies:** The Legislature approved HB 3937, aimed at banning critical race theory in public K-12 and open-enrollment charter schools.
- **Abortion:** “ **The Heartbeat Bill**” would prohibit abortions in Texas as early as six weeks. Any private citizen is also now empowered to sue abortion providers or anyone who helps someone get an abortion after a fetal heartbeat has been detected.
- **Guns:** House Bill 1927 would eliminate the requirement for Texas residents to obtain a license to carry handguns if they’re not barred by state or federal law from possessing a gun. SB 19 which would add limitations to state agencies on contracting with companies that have policies that discriminate against firearm companies.

Statewide bills that passed (cont.)

- **Homelessness:** In response to a camping ordinance in Austin, the legislature voted to ban homeless encampments throughout Texas.
- **Marijuana:** An effort to expand the state's medical marijuana program passed at the last minute. HB1535 would expand the state's medical cannabis program for people with chronic pain, all cancer patients, and Texans with post-traumatic stress disorder.
- **National anthem:** SB 4, also known as the so-called “**Star Spangled Banner Protection Act**,” would require any professional sports teams with contracts with the state government to play the national anthem before the start of a game

HB 1 Budget

- 2022-23 appropriations are \$248.5 billion in All Funds and \$116.4 billion in General Revenue Funds for the 2022-23 biennium, a **5.5% increase** in spending over the previous biennium.
- In higher education, the Legislature provides \$8.5 billion in All Funds to formulas supporting institutions of higher education, an **increase of \$486M** from the previous biennium.
- General Academic Institution formula funding totals \$3.9 billion in General Revenue Funds in the 2022-23 biennium, **an increase of \$300.0 million in General Revenue, or 8.2 percent**, compared to the previous biennium's budget.

HB 1 Budget Higher Education

- **Financial Aid** – HB 1 provides **\$110 million of new funding** for student financial aid at THECB, a large portion of which will be allocated to Texas Grants. This will leave the allocation of resources between programs to the discretion of the THECB to give the agency flexibility based on the state's needs.
- **Texas Grants**, a line item distinct from the one above, is maintained at 2020-21 levels by restoring the 5% general revenue cuts, returning total funding to **\$866.6M for the 2022-23 biennium**. This funding is sufficient to provide TEXAS Grants to approximately **56% of eligible students**.
- **Governor's University Research Initiative (GURI)** – appropriations total **\$40 million** for the 2022-23 biennium, plus new legislation (SB1525) to expand eligibility and open up the fund to rising stars.
- **Higher Education Group Insurance Rates**. For the 2022-23 biennium, HEGI appropriations are funded at 78.2 percent of the full ERS premium rate compared to 79.4 percent in the 2020-21 biennium.

General Higher Education Policy

- [Texas Women's University System](#) - The bill prescribes how TWU would become a System and officially authorizes and recognizes TWU Denton, Dallas, and Houston as independent institutions.
- [Texas Epidemic Public Health Institute](#) - Led by the UTHealth School of Public Health in partnership with state and local public health agencies, the institute will plan and develop a public health reserve force that will better prepare Texas and Texans for the next pandemic.
- [Comprehensive Regional University Support](#) - This creates an outcomes-based funding model focused on at risk students at comprehensive universities.

Academic Issues

- **Textbook Transparency** - HB 1027 requires that certain information relating to course materials be provided to students, such as retail price, author, publisher/provider, copyright date, specify if OER, and any related fee or charge to access such material. The institution has the option of providing a link to an Internet website that contains that information. **(Effective 9/1/21 to be implemented by 9/1/22.)**
- **CLEP Scores** - SB 1227 requires that institutions of higher education cap their (CLEP) scores for course credit at the American Council on Education recommended score of 50. *The bill allows for the institutions chief academic officer to require a higher CLEP score on courses that are prerequisites for advanced level courses.* This prohibition applies to entering freshman students beginning spring 2022.

Academic Issues

- **Reducing Reporting Requirements** – SB 1677 would authorize the Higher Education Coordinating Board to discontinue reporting requirements if the commissioner of higher education determines that the required data can be obtained from a different source.
- **Military Service Absences** -- SB 937 amends current statute to allow for excused absence from a public institution of higher education for a student called to required military service, as opposed to solely “active” service.
- **Off Campus Workforce Education** – HB 4361 allows higher education to enter into an agreement with an employer to provide a credit or noncredit off-campus workforce education or lower-division program to the institution's students at a site requested by the employer without the approval of a higher education regional council.

Campus-wide general Issues

- **National Motto in Buildings.** This bill **requires**, rather than authorizes, a public school and an institution of higher education to display in a conspicuous place in each building of the school or institution a durable poster or framed copy of the United States national motto, "In God We Trust."
- **Suicide Prevention on Student ID Cards.** This legislation requires each student identification card issued by a public institution of higher education to have printed on the card the contact information for the National Suicide Prevention Lifeline and the Crisis Text Line.
- **Guns** - The "Constitutional Carry" bill would allow anyone to carry a concealed weapon with or without a permit to carry that firearm.

Contracting

- **Investments** - SB 13 requires state agencies that invest funds to divest those funds from financial institutions that have boycotted oil and gas investments.
- **Contracts** – SB 799 raises the dollar amount thresholds for contracting reporting requirements, therefore reducing reporting needs. Example – allows us now to purchase goods and services if the purchase does not exceed \$50K rather than \$15K
- **USA Steel** – SB 783 requires universities to use US made steel in all construction projects. This is already done by UT System institutions.
- **Guns** - SB 19 would add limitations to agencies & higher education- on contracting with companies that have policies that discriminate against firearm companies.

Title IX

- **Campus sexual assault cleanup bill.** SB 1371 adds a provision that allows a campus peace officer employed by an institution who receives applicable information from a victim choosing to use a pseudonym -is only required to report the type of incident and must omit the victim's name and personal information in reporting.
- **SB 45** - Adds a provision of unlawful employment practices to the labor code, when “sexual harassment” of an employee occurs and the employer knows or should have known of the conduct and fails to take immediate and appropriate corrective action.
- **Improper relationships and educator misconduct.** SB 1164 expands penalties to private coaches, tutors, and hired caregivers. *While the bill does not seem to directly impact institutions of higher education, the “coach/tutor” provision, may apply to institutional employees or certain students in supervisor roles.*

Community College Expansion

- **HB 885** amends the statute on which community colleges can authorize a baccalaureate degree program to include Navarro College.
- **HB 3348** – This raises the general cap on the number of baccalaureate degree programs a public junior college may offer from three to five.
- **TRUE Initiative** - The Texas Reskilling & Upskilling Through Education (TRUE) initiative will continue investment in SBDCs for small businesses & will provide a grant program for community colleges to offer accelerated learning opportunities.

Special Session Live View

**How long Texas House
Democrats have been absent
from the Legislature**

09:01:15

Days Hours Minutes

They left the state in protest on July 12.



87(1) Special Session

- Elections Bill (SB 1)
- Interscholastic athletics based on biological sex (SB 2)
- Civics Curriculum (SB 3)
- TRS one time benefit payments (SB 7)
- Article X Funding (HB1)
- Abortion Restrictions (SB 4)
- Social Media Censorship (SB 5)
- Special Session 87(2) Redistricting & Federal Funding

Questions?

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