

BILL ANALYSIS

H.B. 103
By: Martinez
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the Rio Grande Valley may be an underserved area in relation to the rest of Texas with regard to legal education and legal representation, as measured in terms of both attorney population density and distance to the nearest law school. H.B. 103 seeks to remedy this situation by establishing a law school in the Rio Grande Valley.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 103 amends the Education Code to authorize the governing board of a university system to establish and operate, as a professional school of the system, a school of law in Cameron County or Hidalgo County as the governing board considers appropriate. The bill authorizes the governing board, in administering the law school, to prescribe courses leading to customary degrees offered at other leading American schools of law and to award those degrees. The bill authorizes the governing board to assign responsibility for the management of the law school to a general academic teaching institution in the university system and to accept and administer gifts and grants from any public or private person or entity for the use and benefit of the law school. The bill subjects the establishment of the law school to the availability of funding, either through appropriation or from another source, but prohibits state funds from being appropriated for that purpose for a state fiscal biennium ending on or before August 31, 2025.

H.B. 103 requires the governing board of a university system that intends to establish a law school under the bill's provisions to notify the Texas Higher Education Coordinating Board and requires the coordinating board, if the coordinating board receives such notification from more than one governing board, to determine based on specified criteria which of those governing boards may establish the law school. The bill requires the applicable governing board, before establishing the law school, to request the coordinating board to prepare a feasibility study to determine the actions the system must take to obtain accreditation of the law school. The bill requires the coordinating board to deliver a copy of the study to the governing board and to the chair of each legislative standing committee with jurisdiction over higher education.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.