

BILL ANALYSIS

Senate Research Center
81R7156 KSD-D

S.B. 956
By: West
Education
2/26/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Dallas-Fort Worth area is the fifth largest Standard Metropolitan Statistical Area (SMSA) in the United States and the only SMSA that does not have a public law school. Texas' population has increased from 14.3 million to 22.5 million with no additional law schools being added, limiting the opportunities for Texans to attain an affordable legal education in Texas. With the continuing growth of the Dallas-Fort Worth region, the need for legal knowledge is increasing. Currently, Dallas must import 30 percent of its attorneys from out-of-state law schools.

As proposed, S.B. 956 authorizes the board of regents of the University of North Texas System to establish and operate a school of law in Dallas as a professional school of the University of North Texas System for five years and as a professional school of the University of North Texas at Dallas after that period and provides the conditions under which it is to be funded.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter J, Chapter 105, Education Code, by adding Section 105.502, as follows:

Sec. 105.502. UNIVERSITY OF NORTH TEXAS SYSTEM SCHOOL OF LAW. (a) Authorizes the board of regents of the University of North Texas System (board) to establish and operate a school of law in the city of Dallas as a professional school of the University of North Texas System (system).

(b) Provides that in administering the law school, the board is authorized to prescribe courses leading to customary degrees offered at other leading American schools of law and to award those degrees.

(c) Provides that until the University of North Texas at Dallas (UNT-Dallas) has been administered as a general academic teaching institution for five years, the board is required to administer the law school as a professional school of the system. Requires that the law school, after that period, become a professional school of UNT-Dallas. Entitles the law school to formula funding as if the law school were a professional school of a general academic teaching institution until it becomes a professional school of UNT-Dallas.

(d) Requires the Texas Higher Education Coordinating Board (THECB), before THECB establishes a law school under this section, but not later than June 1, 2010, to prepare a feasibility study to determine the actions the system is required to take to obtain accreditation of the law school. Requires THECB to deliver a copy of the study to the chair of each legislative standing committee or subcommittee with jurisdiction over higher education.

SECTION 2. Amends Subchapter B, Chapter 55, Education Code, by adding Section 55.1775, as follows:

Sec. 55.1775. UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS.

(a) Authorizes the board, in addition to the authority granted by this subchapter, to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, or other facilities, including roads and related infrastructure, for the law school established in the city of Dallas by the system, to be financed by the issuance of bonds in accordance with this subchapter, including bonds issued in accordance with a systemwide revenue financing program and secured as provided by that program, in an aggregate principal amount not to exceed \$30 million.

(b) Authorizes the board to pledge irrevocably to the payment of the bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the system, including student tuition charges. Prohibits the amount of a pledge made under this subsection from being reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) Authorizes the board, if sufficient funds are not available to the board to meet its obligations under this section, to transfer funds among institutions, branches, and entities of the system to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

SECTION 3. Amends Section 61.003(6), Education Code, to redefine "other agency of higher education" to include the University of North Texas School of Law.

SECTION 4. Effective date: upon passage or September 1, 2009.