

## **BILL ANALYSIS**

S.B. 440  
By: Hughes  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There is a concern that statutory provisions relating to suits against The University of Texas at Tyler may be inconsistent with the treatment of similar institutions in state law with regard to sovereign immunity. S.B. 440 seeks to address this concern by clarifying venue for a suit and by removing certain related language, including language granting legislative consent to such suits.

### **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**

S.B. 440 amends the Education Code to clarify that venue for a suit against The University of Texas at Tyler is in Smith or Travis County. The bill prohibits this provision from being construed as granting legislative consent for a suit against the board of regents or the university except as authorized by law. The bill removes provisions authorizing the board of regents of The University of Texas System to sue and be sued in the name of the university, establishing that the university may be impleaded by service of citation on its president, and explicitly granting legislative consent to suits against the university.

### **EFFECTIVE DATE**

September 1, 2019.