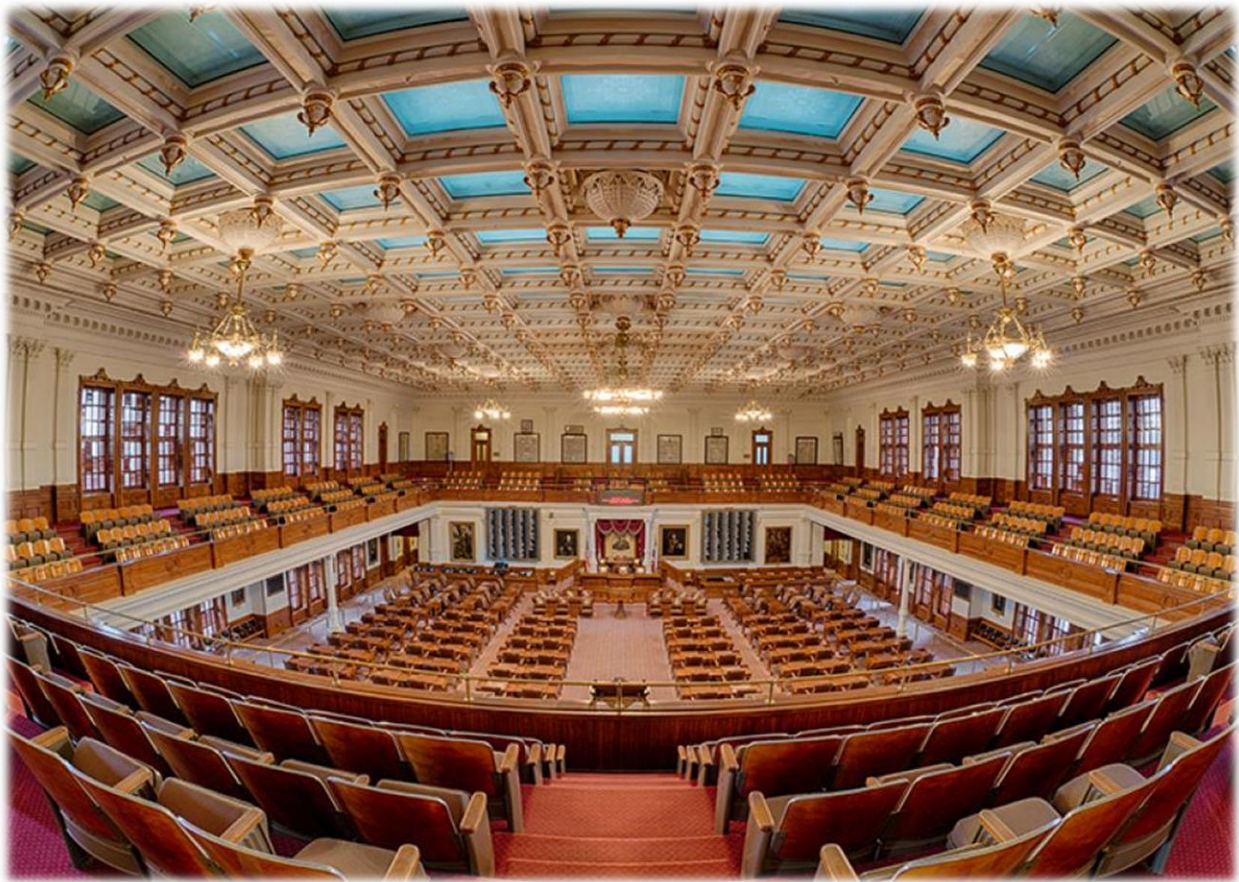


The document “THE 86TH... HIGHLIGHTS OF THE 2019 LEGISLATIVE SESSION” found on the following pages is intended for UTRGV administrators, faculty, staff, students, and other stakeholders as a summary of the 86th Texas Legislative Session highlights; it is not a complete listing of all bills impacting higher education. Bills noted in the document are “hot-linked” to the [Texas Legislature Online](#) website for easy access to the history, background, and fiscal and policy analysis for each.

Questions about the document should be directed to the UTRGV Office of Governmental Relations.



FACT / The Texas House Chamber is the largest room in the Capitol Building. Located in the West wing of the Capitol, the chamber has been restored to its 1909 appearance. State House Members have gathered here since 1888.

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THE 86TH... HIGHLIGHTS OF THE 2019 LEGISLATIVE SESSION

The Texas Legislature completed its biennial session on May 27, 2019. The dynamics of this 86th Texas Legislative Session were a vast departure from the last several, with a mostly harmonious trek through the 140-day Session. We will recall that the 2017 Session was marred by contentious wrangling between the House and Senate Chambers and a divisive agenda that included such measures as the “sanctuary cities bill” and the “bathroom bill.”

HARMONY AMONG THE BIG THREE

In 2019, the Governor, Lt. Governor, and the new Speaker of the House set a positive tone from the outset, agreeing on priorities which included school finance reform and property tax relief. “The big three” stayed true to these goals and passed legislation implementing the pertinent provisions:

- [HB 3](#), which contains about \$6.5 billion in new public education spending, plus about \$5.1 billion devoted to lowering property tax bills.
 - The spending increases per-student base funding by about 20%, includes money to give teachers raises, funds free full-day pre-K for eligible 4-year-olds, and reduces the amount of money wealthy districts must spend to subsidize poor districts through the state’s recapture program (known as “Robin Hood”).
- They also passed [SB 2](#) which will require voter approval when local governments want to increase their property tax revenues by more than 3.5%. The bill also caps the rollback rate for school district taxes at 2.5%.

MORE MONEY

Texas Comptroller Glenn Hager released his biennial Revenue Estimate just prior to Legislative Session with \$119.1 billion.

- The estimate was \$9 billion more than the 2017 Session.
- Hager also reported that the Rainy Day Fund grew to a record high balance of about \$15 billion.

FACT / The Texas Legislature meets for no longer than 140 days starting at noon On the 2nd Tuesday in January of every odd-numbered year.

CHAMBER 2 CHAMBER

When convened in session, the rivalry between the House and the Senate always has some degree of effect on the flow of legislation. Relative to the last few sessions, the Chambers toned-down the rhetoric and got to the business of working on opposite chamber legislation (all substantive legislation must pass both chambers of the Legislature to become law). The result was positive... a relatively high percentage of priority bills were able to make it to the Governor's desk for signing.

Recent past sessions have witnessed each chamber purposely holding the other's legislation to create deadline pressures towards the end of session; this resulted in bills dying for lack of time to make it through the process.



FACT / Groundbreaking Ceremonies for the Texas Capitol were held on February 1, 1882. The cornerstone, located on the northeast corner, was laid on March 2, 1885, and the celebration of the Capitol's completion and its dedication was held in May 1888.

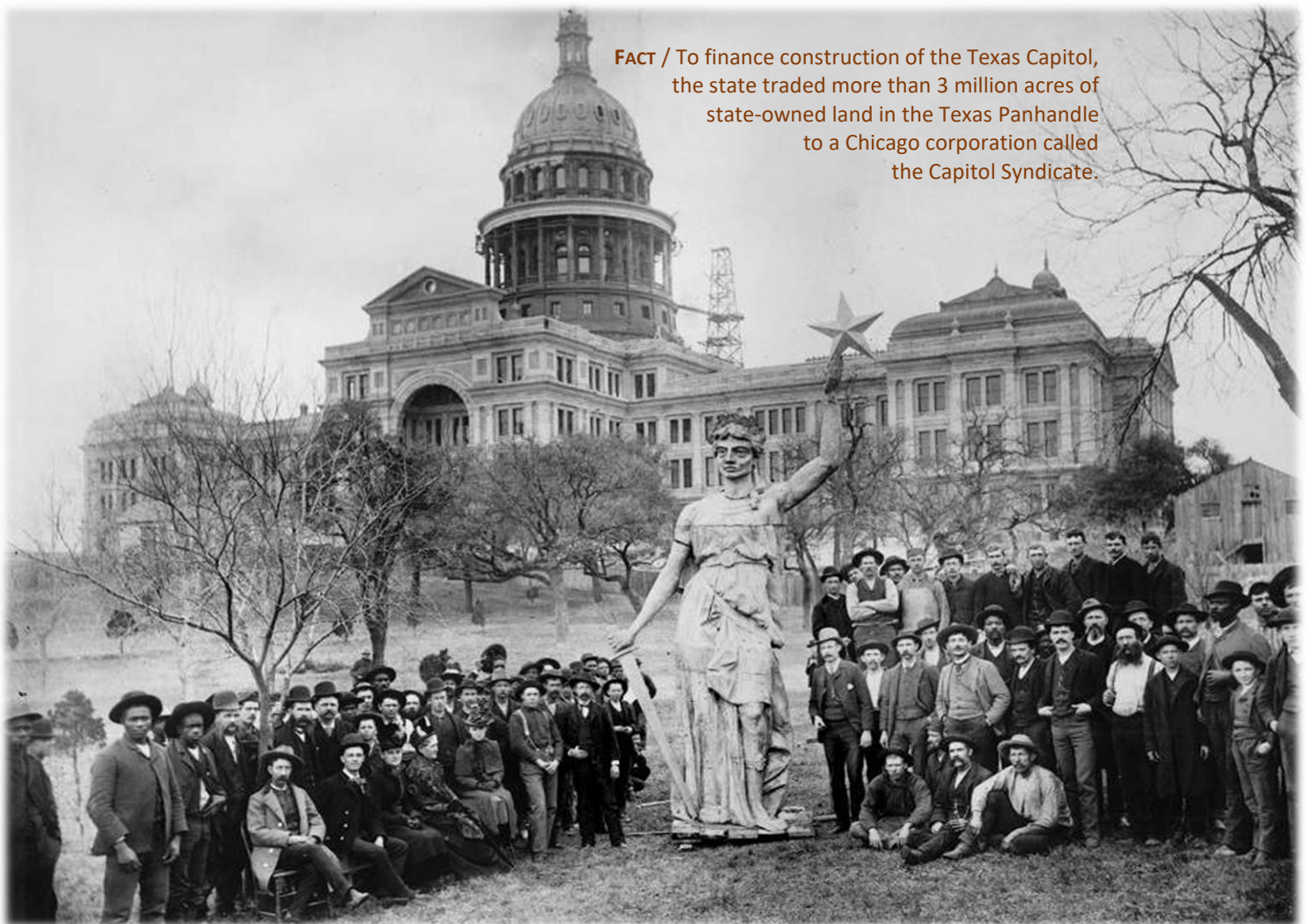
APPROPRIATIONS / THE STATE BUDGET

Each regular session the Legislature is tasked with assembling a two-year budget for all state agencies, boards, commissions, and institutions of higher education.

- **HB 1 by Zerwas / Effective 1 SEPT 2019** - The state's two-year budget plan calls for spending roughly \$250 billion on priorities including public school funding, teacher salaries and early childhood intervention programs, as well as funding for transportation, healthcare, public safety, prisons, and much more.
 - HB 1 included very welcome increases in appropriations for higher education. The biennial All Funds budget for public higher education was increased from \$18.04 billion in FY18-19 to \$19.12 billion for FY20-21, an increase of \$1.08 billion or approximately six percent. “All Funds” include state General Revenue, General Revenue-Dedicated, Federal Funds and other sources of funding received by higher education agencies and institutions.
 - UTRGV’s FY 2020-21 take was a nearly \$10 million increase for the general academic unit, and about a \$12 million increase for the School of Medicine, mostly coming in the form of formula funding.
 - Total FY 2020-21 state appropriations for UTRGV totaled \$335 million.
 - Taken annually, state appropriations represent about 30% of UTRGV’s *overall* annual budget and remains the University’s largest source of funding.
 - We were able to retain the School of Medicine’s base Non-Formula Support funding of \$42 million and are adding \$2 million for cervical cancer research.
 - The transfer to UTRGV of a McAllen clinic operated by UTMB was approved, as well as the \$712,500 to run the clinic.
 - The Legislature also consolidated three of UTRGV’s Non-Formula Support Items in the economic development area with plans to create a Center for Border Economic and Enterprise Development.
 - A \$60 million increase was included for statewide Graduate Medical Education (GME) Expansion Grants (total of \$157 million); the appropriation maintains the 1.1 to 1 ratio of first-year residency positions for each Texas medical school graduate.
 - The GAI Instruction and Operations (I&O) Formula rate was increased from \$55.82 per weighted semester credit hour (SCH) to \$56.97. HB 1 also increased the Infrastructure

Support Formula rate from \$5.27 per square foot to \$5.52 (both rates were adopted at above Coordinating Board recommended rates).

- For (Health Related Institutions) HRIs, HB 1 increases the I&O formula rate from \$9,431 to \$9,692 per student, and increased the Infrastructure Support Formula rate from \$6.11 to \$6.27 per square foot; the Research Enhancement Formula rate increased from 1.16 percent to 1.22 percent; and the Graduate Medical Education rate increased from \$5,824 to \$5,992.
- HB 1 also included an increase of \$80 million in statewide funds for the TEXAS Grants financial aid program, to a total of \$866 million. The program has proven to have a very positive impact on the retention and graduation rates of students statewide, particularly at UTRGV where nearly 80% of students rely on some sort of financial aid.
- A separate appropriations bill provided funding to a UTRGV partner in GME, Doctor's Hospital at Renaissance, for trauma funding. The region, including UTRGV, will benefit.



FACT / To finance construction of the Texas Capitol, the state traded more than 3 million acres of state-owned land in the Texas Panhandle to a Chicago corporation called the Capitol Syndicate.

OTHER SIGNIFICANT LEGISLATION

SB 7 by Creighton

Creates special flood infrastructure funds to help communities harmed by natural disasters like Hurricane Harvey in 2017.

SB 11 by Taylor

School safety measure that will strengthen mental health initiatives in schools, require classrooms to have access to a telephone or other electronic communication, and create teams that identify potentially dangerous students. The bill also includes the creation of the Texas Mental Health Consortium.

SB 12 by Huffman

Allows the Teacher Retirement System pension fund to become “actuarially sound” by requiring increased contributions to pay off its debts in less than 30 years. The bill accomplishes this by using \$1.1 billion from the state’s Rainy Day Fund over the next two years to increase state, school district, and teacher contributions. This allows the legislature to provide current retirees with an additional pension payment during the current fiscal year. This “13th check” will be the amount of the retiree’s regular monthly annuity payment up to a maximum amount of \$2,000.

SB 1264 by Hancock

Prevents consumers from receiving surprise medical bills by prohibiting all non-network facility-based providers at network hospitals and all non-network emergency care providers from sending surprise balance bills to consumers. The legislation requires health plans, including preferred provider organizations (PPOs), exclusive provider organizations (EPOs), and health maintenance organizations (HMOs), to pay reasonable or agreed-upon amounts to out-of-network emergency care and facility-based providers.

HB 1525 by Burrows

Requires Amazon-/eBay-type companies to remit sales taxes, generating about \$300 million per year for the state and local governments.

FACT / The Texas Senate Chamber in the East Wing of the Capitol Building still contains the original walnut desks & podium purchased in 1888.

A portrait of Stephen F. Austin by an unknown artist behind the Lt. Gov’s desk dates from c. 1836.



LEGISLATION AFFECTING HIGHER EDUCATION

Below are some of the more significant bills that passed the 2019 Regular Session. Bills are “hot-linked” to the [Texas Legislature Online](#) website for easy access to the history, background, and fiscal and policy analysis for each bill. For a more exhaustive list or for assistance with questions about specific legislation, please contact the Office of Governmental Relations.

CAMPUS FREE SPEECH

SB 18 by Huffman / Effective 1 SEPT 2019 – Imposing new policies related to “free speech” on colleges campuses...

The bill designates the common outdoor areas of public institutions of higher education (IHEs) as traditional public forums open to all persons for the purpose of engaging in “expressive activity.” The bill also requires that all institutions adopt a free speech policy by August 1, 2020, that comports to the bill’s requirements and is approved by the Board of Regents.

Regents’ Rule 80101 specifically provides that our property is not a traditional public forum. Consequently, by August 1, 2020, UT System is required to make some changes to Rule 80101 and other Regents’ Rules as applicable. The Office of General Council is working with the Office of the Board of Regents on changes to the Regents’ Rules. As all institutional policies adopted per SB 18 must be approved by the Board, to expedite efficiency and avoid duplication of efforts, UT System will adopt a free speech model policy.

Other provisions of the bill include:

- Defines expressive activities as speech or conduct protected by the First Amendment to include assemblies, protests, speeches, distribution of written material, carrying of signs and circulation of petitions (but does not include commercial speech). Expressive activities may not materially and substantially disrupt the functioning of the institution, and certain expressive activities in outdoor areas are subject to reasonable time, place and manner restrictions.
- Requires campus free speech policies to detail students’ rights and responsibilities that allow for any person, subject to reasonable restrictions, to engage in expressive activities but that does not prohibit faculty from maintaining order in classrooms, allow for student organizations and faculty to invite speakers to speak on campus, establishes disciplinary sanctions for students, student organizations, or faculty who unduly interfere with the expressive activities of others, includes a grievance procedure for addressing complaints of violations, is included in the student and personnel handbooks, is provided to students during freshman and transfer student orientations, and is posted on the institution’s website.
- Stipulates that in approving a speaker or calculating fees for the use of facilities for expressive activities an institution may consider only content-neutral criteria such as proposed venue and

expected size of audience, need for campus security, necessary accommodations, and relevant history of compliance of the requesting student organization or faculty member. An institution may not consider any anticipated controversy related to the event.

- Prohibits institutions from taking any action against a student organization on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or any expressive activities of the organization.
- Requires institutions to develop materials, programs and procedures to train employees responsible for educating or disciplining students to ensure they understand the new law and any policies adopted thereunder.
- Not later than December 1, 2020, prepare a report on the institution's implementation of the requirements of the new law, post it on its website, and submit it to the Governor and the Legislature.

IMPROVING COLLEGE TRANSFER

SB 25 by West / Effective 14 JUNE 2019 - Improves the process to transfer to or from, the academic progress, and timely graduation at IHEs...

The bill imposes the following requirements:

- IHEs to report nontransferable credit (this provision is also found in [SB 502](#) by Seliger);
- Creation of an option for students to be considered for admissions into degree programs at other IHEs if they are not admitted to a degree program at their preferred institution;
- That students file a degree plan at 30 hours and those enrolled in dual credit to file at 15 hours;
- Negotiated rulemaking related to administration and compliance;
- That IHEs develop course sequences for degree programs and certificates and report them to the THECB for posting;
- Opportunity for articulation agreements and what's included in them;
- Clarification of "core curriculum" with general core and discipline core designations;
- The inclusion of "fields of study" and meta-majors;
- Options for release of student academic information; and
- A study on transfer admission guarantee.

SB 1324 by Taylor / Effective 4 JUNE 2019 – Filing of degree plans...

Requires a student who is enrolled in a course for joint high school and junior college credit at a public junior college to file a degree plan with the college within a specified time period after the student earns a cumulative total of 15 or more semester credit hours if the student is not subject to certain degree plan requirements for a student enrolled in an associate or bachelor's degree program. The bill revises degree plan requirements for a multidisciplinary studies associate degree program to conform to requirements for other associate degree programs.

SB 212 by Huffman / Effective 1 SEPT 2019 (Provisions related to the Training Advisory Committee take effect 14 JUNE 2019 and provisions related to the offense of failure to report or making a false report take effect 1 JAN 2020) - New law aimed at reducing dating violence, sexual assault and harassment, and stalking at IHEs...

The bill requires an employee of a postsecondary education institution who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident must report the incident to the institution's Title IX or deputy Title IX coordinator. Under provisions of the bill, the institution must designate an employee with whom students may speak confidentially without violating a student's expectation of privacy.

The bill requires that not less than once every three months the Title IX coordinator must submit a written report on the reports received to the institution's chief executive officer; a report shall be submitted immediately if the safety of the person is in imminent danger as a result of the incident.

At least once during the fall or spring semester the chief executive officer shall submit to the institution's governing body and post on the institution website a report concerning the reports received unless the postsecondary educational institution has enrolled fewer than 1,500 students in that semester. If a postsecondary educational institution has enrolled fewer than 1,500 students, the chief executive officer shall submit and post a report only if more than five reports were received during that semester.

The bill includes provisions regarding the termination of employees, who were required to report incidents and failed to do so, and for employees that made false reports regarding incidents. Failure to make a report or intentionally making a false report would be a Class B misdemeanor. Such an offense would be a Class A misdemeanor if it was shown at trial that the employee knowingly intended to conceal the incident. The THECB would be authorized to assess an administrative penalty against the institution in the amount not to exceed \$2 million. The institution may not pay the penalty assessed using state or federal money and would be credited to the sexual assault program under Government Code, Section 420.008.

The bill requires the Commissioner of Higher Education to establish an advisory committee of nine members to develop training for the person required to report certain incidents, including the institution's Title IX and deputy Title IX coordinators. The Higher Education Coordinating Board would be required to engage in negotiated rulemaking with institutions of higher education regarding policies related to the reporting of certain incidents of sexual harassment, sexual assault, dating violence or stalking.

HB 1735 by Howard / Effective 1 SEPT 2019 – New law aimed at reducing dating violence, sexual assault and harassment, and stalking at IHEs...

The bill requires public and private postsecondary educational institutions to adopt a policy on campus sexual harassment, sexual assault, dating violence and stalking. The policy must include definitions of prohibited behavior; sanctions for policy violations; the protocol for reporting and responding to reports of sexual harassment, sexual assault, dating violence, and stalking; interim measures to protect victims of sexual harassment [et al], during the pendency of the institution's disciplinary process, including protection from retaliation, and any other accommodations available to those victims at the institution; and a statement regarding the importance of going to the hospital for treatment and preservation of evidence, the right to report the incident to the institution and to receive a prompt and equitable resolution of the report, and the right to choose whether to report to law enforcement, to be assisted by the institution in reporting a crime to law enforcement, or to decline to report the crime to law enforcement.

The policy must be approved by the institution's governing board before final adoption by the institution. The institution will be required to make the policy available to students, faculty, and staff members.

Part of the protocol for responding to sexual harassment [et al] must: Notwithstanding any other law, allow an alleged victim or alleged perpetrator to drop a course in which both parties are enrolled without any academic penalty. In addition, each biennium, institutions must review the policy, and, with the approval of the institution's governing board, revise the policy as necessary.

Further, under provisions of the bill, each peace officer employed by a postsecondary educational institution must complete training on trauma-informed investigation into allegations of sexual harassment, sexual assault, dating violence, and stalking.

The bill requires each postsecondary educational institution to designate a Title IX Coordinator (responsible employee), and designate confidential employees. In addition, each postsecondary educational institution may designate student advocates, at the discretion of the institution (though not required). Under provisions of the bill, as part of the protocol for responding to reports of sexual harassment, sexual assault, dating violence, and stalking, each institution shall, to the greatest extent practicable based on the number of counselors employed by the institution, offer counseling provided by a counselor who does not provide counseling to any other person involved in the incident.

The bill authorizes the Coordinating Board to assess an administrative penalty of up to \$2.0 million against an institution that failed to substantially comply with provisions of the bill. The bill would require the commissioner of higher education to establish an advisory committee.

SB 38 by Zaffirini / Effective 1 SEPT 2019 – Revises the definition of hazing ...

The bill revises the definition of hazing to include an act involving coercing a student to consume an alcoholic beverage, liquor, or drug, by applying the Penal Code definition of "coercion." The bill would remove from the definition's list activities that included: intimidating or threatening the student with ostracism; subjecting the student to extreme mental stress, shame, or humiliation; adversely affecting the mental health or dignity of the student or discouraging the student from entering or remaining registered in an educational institution; or activities that would be reasonably expected to cause a student to leave the organization or institution rather than submit to such acts.

The bill also provides criteria for immunity from prosecution or civil liability for hazing in certain circumstances, allows for alternative venues for the prosecution of hazing offenses, and requires post-secondary educational institutions to report to student's information on hazing. In order to ensure consistency in interpretation, the UT System Office of the General Counsel is conducting an analysis of this bill to determine what changes might be required to institutional or UT System policy.

EDUCATOR PREPARATION PROGRAMS (EPP)

HB 3217 by Ashby / Effective 24 MAY 2019 – Eligibility requirements for issuance of a teaching certificate...

The bill requires a person who applies for a teaching certificate for which State Board for Educator Certification (SBEC) rules require a bachelor's degree to possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, that is related to the curriculum as prescribed under Subchapter A (Essential Knowledge and Skills; Curriculum), Chapter 28, rather than requiring a person who applies for a teaching certificate for which SBEC rules require a bachelor's degree to possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under Subchapter A, Chapter 28.

The bill also deletes existing text prohibiting SBEC from requiring more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate. Requires SBEC to provide for a minimum number of semester credit hours of field-based experience or internship to be included in the credit hours needed for certification, rather than requiring SBEC to provide for a minimum number of semester credit hours of internship to be included in the hours needed for certification. The bill is effective upon passage or September 1, 2019.

HB 2424 by Ashby / Effective 14 JUNE 2019 – Creating a micro-credential certification program for public school educator continuing education...

UT System Analyst(s): Melissa Garcia (OGC) and Nichole Prescott (OAA) Institution Contact Office(s): Provosts, College of Education Rulemaking Authority: SBOE Rulemaking contact: Elizabeth Mayer (OAA) Analysis: The bill requires the State Board for Educator Certification (SBEC) to issue micro-credentials to educators while fulfilling specific continuing education requirements, and specifies that micro-credentials received by educators shall be recorded on the agency's Educator Certification Online System (ECOS) record.

SB 504 by Seliger / Effective 14 JUNE 2019 – Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district...

The bill allows the Texas OnCourse Academy the ability to add content modules that include social-emotional counseling tools in an effort to allow participating advisors and counselors to be better prepared to identify and address potential mental health issues that may arise at the schools they serve.

TRANSCRIPT NOTATION / POLICY PUBLICATION

HB 449 by Turner / Effective 10 JUNE 2019 – Requiring public and private IHEs to include a notation on a student's transcript of disciplinary dismissal...

In an effort to eliminate the enrollment of students at an institution after being expelled from an IHE for certain disciplinary reasons from another IHE, IHEs are required to add a notation on the transcript of a student who is ineligible to reenroll at the institution for a reason other than an academic or financial reason. H.B. 449 also requires institutions to complete the investigatory process if a student withdraws from the institution pending disciplinary charges that may result in the student becoming ineligible to reenroll for reasons other than academic and financial reasons. The bill also creates a mechanism to remove the notation if the student becomes eligible to reenroll or the institution determines that good cause exists to remove it.

UT System adopted all the practices required in this legislation several years ago, so it is understood that UTRGV should already meet the requirements. UT System will monitor the THECB rulemaking so that we are all aware of any definitional and implementation issues.

HB 476 by Howard / Effective 1 SEPT 2019 – For campuses that have policies on epinephrine auto-injectors...

Requires IHEs that have policies on epinephrine auto-injectors to include the policy in the institution's student handbook or a similar publication and to publish the policy on the institution's website. Institutions that adopted such policies will have to submit to the Department of State Health Services (DSHS) a copy of their policies and any amendments the institution adopts. DSHS will be required to maintain a record, available to the public on request, of the most recent policies each institution has submitted.

DEVELOPMENTAL DISABILITIES ISSUES

SB 1017 by Powell / Effective 10 JUNE 2019 - Requires the Texas Higher Education Coordinating Board to establish an advisory council on postsecondary education...

The bill requires the establishment of the Advisory Council for Persons with Intellectual and Developmental Disabilities. The Council is tasked with developing educational outreach materials to raise awareness in Texas of postsecondary education opportunities for distributing them to all Texas public schools. It will also study the accessibility of higher education for individuals with IDD and create recommendations on how to remove existing barriers, which will be published in an annual report.

HB 1386 by Thompson / Effective 1 SEPT 2019 - Amends current law relating to training and development activities for persons who may interact with an individual with autism or other pervasive developmental disorder...

Requires the Health and Human Services Commission (HHSC) to provide training related to interacting with individuals with autism or another pervasive developmental disorder to Department of Family and Protective Services personnel, as well as certain school, medical, and law enforcement personnel.

ADMISSIONS

HB 539 by Leman / Effective 10 JUNE 2019 – Allows for the automatic admission to general academic teaching institutions and eligibility for certain scholarships of a student who is the valedictorian of the student's high school graduating class...

This bill requires public IHEs to admit any applicant for undergraduate admission who had graduated from high school as a class valedictorian within the past two years, provided that the student met all other statutory requirements for automatic admission. The bill also makes valedictorians eligible for an existing state scholarship intended for outstanding high school students who ranked in the top 10 percent of their graduating class, subject to available funding.

FINANCIAL AID / TUITION EXEMPTIONS

SB 1504 by Zaffirini / Effective 10 JUNE 2019 – Abolishing the B-On-Time Student Loan Account...

Postpones from September 1, 2020, to September 1, 2024, the date on which the Texas B-On-Time student loan account is abolished. The bill limits the purposes for which an eligible IHE that receives an appropriation from the account after it is abolished to use that money for the purpose of supporting efforts to increase the number of at-risk students who graduate from the institution or the rate at which at-risk students graduate from the institution.

The bill defines "at-risk student" as an undergraduate student of an institution of higher education who has previously received a federal Pell Grant or met the expected family contribution criterion

for a grant under that program or whose total score on the SAT or the ACT, excluding the optional essay test, is less than the national mean score of students' scores on the applicable test. The FY 2025 ending balance for the B-On Time Student Loan Account is projected to be \$134.5 million.

HB 2140 by Neave / Effective 10 JUNE 2019 – Creating an electronic application system for state student financial assistance...

The bill requires the Higher Education Coordinating Board (Board) to adopt procedures to allow a person to complete and submit the Texas Application for State Financial Aid (TAFSA) or a similar application for state student financial assistance by electronic submission through the Internet website through which the Board provides the common application form. The bill requires the Board to appoint an advisory committee to assist the Board in adopting these procedures.

HB 4465 by Turner / Effective 1 SEPT 2019 – Relating to the student loan program administered by the Texas Higher Education Coordinating Board and to the repeal of a related bond program...

The bill revises and updates the student loan program administered by the Coordinating Board by changing the fund in which certain bond proceeds and applicable gifts, grants, and donations are deposited from (the Texas Opportunity Plan Fund), to the Student Loan Auxiliary Fund. The bill also revises requirements relating to a loan applicant's eligibility and repayment of a loan, and repeals provisions relating to the cancellation of certain loan repayments, the coordinating board's authority to issue a student loan under the Federal Family Education Loan Program, and the College Savings Bonds Program.

SB 16 by Hancock / Effective 1 SEPT 2019 – Creating the Peace Officer Loan Repayment Assistance Program...

S.B. 16 creates a student loan repayment assistance program for peace officers who have served four consecutive years and agree to continued employment as a peace officer in this state for an additional four years. An eligible person would receive 25 percent of their total outstanding loan balance each year for four years, plus interest accrued, paid directly to the loan agency. An eligible person must have completed an undergraduate or graduate program at a general academic teaching institution or a private or independent institution of higher education. Loans eligible for repayment assistance must be for education at a postsecondary institution, be a state or federal guaranteed student loan, or another loan that required the funds to only be used for expenses incurred by a person in attending a postsecondary educational institution and must not be in default. The program is coordinated through the Texas Higher Education Coordinating Board. If applications exceed funding available for this program, the Coordinating Board is required to create a process to prioritize renewal applicants.

HB 766 by Huberty / Effective 14 JUNE 2019 – Exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education...

The bill amends statute as it relates to tuition and fee exemptions for disabled peace officers at public institutions of higher education by making the exemption mandatory instead of permissive.

The bill will also allow disabled fire fighters to participate in the exemption. Under provisions of the bill, the governing board of an IHE may not provide these exemptions to students enrolled in a specific course in a number that exceeds 20 percent of the maximum student enrollment designated by the institution for that course.

HB 3655 by Turner / Effective 10 JUNE 2019 – Relating to the state's programs for paying, prepaying, or saving toward the costs of attending an IHE, including the powers and duties of the Prepaid Higher Education Tuition Board...

The bill updates and revises the statutes relating to the board for the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education, including the powers and duties of the Prepaid Higher Education Tuition Board.

Because of the change in the federal definition of "qualified higher education expenses," the bill includes a change to the definition of "Qualified higher education expenses" in the Education Code from a list of IHE expenses to the meaning assigned by Section 529, Internal Revenue Code of 1986, as amended.

STUDENT SERVICES LIAISON / INTERNSHIP PROGRAMS / DEGREE PLANS

HB 3808 by Walle / Effective 14 JUNE 2019 – Requiring liaison officers for certain student services and facilitating the timely graduation of and attainment of marketable skills by students in public higher education...

The bill requires each institution of higher education to designate at least one employee of the institution to act as a liaison officer for current or incoming students at the institution. The bill includes specific information that the liaison officer would be required to provide to students.

The bill amends the Texas College Work-Study Program and creates the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) Internship Program. The bill specifies the state's contribution toward the Texas WORKS internship program would be payable from funds appropriated to the Texas College Work-Study Program. The bill allows the Coordinating Board to maintain an online portal for use by students and participating entities in fulfilling their responsibilities for participation in the Texas WORKS internship program. The bill also requires the Coordinating Board to establish and maintain an online listing of Texas WORKS internship program employment opportunities available to students. The Coordinating Board could use funds appropriated for the Texas College work-study program and the Texas WORKS internship program to cover the expenses and personnel costs of administering the program.

The bill also amends the Education Code as it relates to the filing of degree plans.

HB 1702 by Howard / Effective 29 MAY 2019 – Services for students in or formerly in foster care...

Requires IHEs to identify students who are or were formerly in the conservatorship of the Department of Family and Protective Services and to provide their names to the institution's

liaison officer. Such identification shall be made, to the extent allowed by state or federal law, each semester or academic term from information provided to the institution. Each institution is required by January 1, 2020, to publicize through its website, social media, email, or other means, the name and contact information for the institution's liaison officer and information on support services and other resources available to students currently and formerly in foster care.

OPEN EDUCATIONAL RESOURCES

HB 3650 by Turner / Effective 10 JUNE 2019 – Requiring agreements between school districts and public IHEs to include a requirement to consider the use of free or low-cost open educational resources in the dual credit program...

Requires an agreement to establish a dual credit program to include a requirement for the partner institutions to consider the use of open educational resources.

HB 3652 by Turner / Effective 1 SEPT 2019 – Creating a state repository for open educational resources by the Texas Higher Education Coordinating Board...

The bill relates to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board (THECB). Requires the THECB to contract with an open educational resource repository to develop and maintain a web portal that would allow access to open educational resources.

IMPACTING HEALTH AFFAIRS PROGRAMS

SB 479 by Watson / Effective 4 JUNE 2019 – Joint Admission Medical Program (JAMP)...

Allows the UTRGV SoM to participate in the Joint Admission Medical Program. The bill also allows the UT Austin Dell Medical School to participate in JAMP.

HB 1065 by Ashby / Effective 10 JUNE 2019 – Graduate Medical Education (GME)...

Will create a new GME grant program for rural/non-metropolitan areas. The THECB will administer the program to spur the creation of new GME positions with emphasis on the creation of rural training tracks. The hope is that the UTRGV SoM will be eligible for grant funds to expand into the more rural areas of the Rio Grande Valley.

HB 1401 by Howard / Effective 14 JUNE 2019 – Provides grants from the Permanent Fund for Health-Related Programs to nursing education programs...

The bill extends the nursing grant program through the fiscal biennium ending August 31, 2023. The program will expire September 1, 2023. The program was originally set to expire September 1, 2019.

SPECIAL SESSION?

To date there is no talk of the Governor calling legislators back to Austin for a special session of the 86th Legislature; but the potential always exists.



FACT / Article 4 of the Texas Constitution authorizes the Governor, on extraordinary occasions, to convene the Legislature at the seat of Government or at a different place in certain circumstances. These *Special Sessions* can last up to 30 days and may consider only those items designated by the Governor in his proclamation calling for the special session.

FACTOID / A special session of the legislature amounts to “legislative overtime.”

JUST AS IMPORTANT... STUFF THAT DID NOT PASS

The chart below represents the typical dynamics of a Legislative Session...

- An enormous workload – more than 7,500 pieces of legislation filed to be considered by legislators.
- Roughly 20% pass and are sent to the Governor for signature.
- The Governor has until the 20th day following final adjournment of a regular session to sign or veto bills. (June 19th was his deadline for the 2019 Session)
- So about 80% of the bills filed do not pass...
 - They die in committee
 - Never get a hearing
 - Die in the opposite chamber
 - Die from a fatal procedural mistake (Point of Order)
 - Fall victim to the “Lobby”
 - Run out of time

86th Legislature - House and Senate Bills	
Filed	7,324
Sent to the Governor	1,429
Signed by the Governor	1,229
Vetoed by the Governor	56
Filed without the Governor's signature	144
House and Senate Joint Resolutions	
Filed	217
Filed with the Secretary of State	10
House and Senate Concurrent Resolutions	
Filed	254
Filed with the Secretary of State	29
Sent to the Governor	96
Signed by the Governor	94
Vetoed by the Governor	2
Filed without the Governor's signature	0

BILLS/JOINT RESOLUTIONS OF INTEREST **NOT** PASSED

CAPITAL PROJECTS FUNDING / TRBs

HB 2000 by Turner, Chris

Last Action: 04/24/2019 Senate Referred to Higher Education

Summary: Authorizing the issuance of revenue bonds (TRBs) to fund capital projects at public IHEs; \$70 million for a Health Affairs building at UTRGV.

AT-RISK STUDENT FUNDING

HB 3908 by Thierry

Last Action: 04/15/2019 House Left pending in committee

Summary: Allocating funds remaining in the B-On-Time student loan account to IHEs with a methodology based on the graduation of At-Risk students / Creating a graduation supplement for each At-Risk student which graduates. UTRGV would have benefitted greatly from passage of this bill, with an estimated \$6 million in graduation supplement funding.

A similar bill, SB 1504 by Zaffirini, passed but does not include the graduation supplement; the bill requires IHEs to use the money only to support efforts to increase the number of at-risk students who graduate from the institution or the rate at which at-risk students graduate from the institution.

SB 1162 by Bettencourt / **HB 4389** by Schaefer – Relating to student success-based funding for certain public institutions of higher education.

The bills would change the metrics used by the Higher Education Coordinating Board to recommend to the Legislature allocation of certain student success-based formula funding. The bills would remove the metric that uses degrees earned by at-risk students; the change would have created a significant negative formula funding impact on UTRGV.

MENTAL HEALTH

HB 10 by Thompson, Senfronia

Last Action: 05/22/2019 Senate Placed on intent calendar

Summary: Creating the Texas Mental and Behavioral Health Research Institute. The Institute would leverage the expertise and capacity of certain health-related institutions to address urgent mental health challenges and improve the mental health care system in Texas. It would also enhance the state's ability to address mental health care needs through collaboration of HRIs, and create best practices, leadership,

and vision for addressing child and adolescent behavioral health needs and provide funding for related research.

The UTRGV School of Medicine would be included among the HRIs, state agencies, and nonprofit organizations that would compose the Institute.

HJR 5 by Thompson, Senfronia

Last Action: *05/22/2019 Senate Placed on intent calendar*

Summary: Proposing a constitutional amendment which would dedicate certain sales & use tax revenue to the Institute (HB 10 funding mechanism) via the Texas Mental and Behavioral Health Research Fund. The fund would be established to fund research, treatment, and access to services in this state for behavioral health, mental health, and substance use and addiction issues.

CAMPUS LIAISONS

HB 3003 by Talarico

Last Action: *Committee report sent to House Calendars Committee*

Summary: Requires each IHE to designate at least one employee of the institution to act as a liaison officer for current or incoming students who are the parent or guardian of a child younger than 18 years of age. The liaison officer shall provide information regarding a variety support services and other resources available to the students at the institution.

Although HB 3003 did not pass, HB 3808 which did pass, includes a similar requirement that IHEs designate a liaison officer to provide to the students comprehensive information regarding support services and other resources available to students such as parenting and child care resources.

CAMPUS FREE SPEECH

HB 2100 by Cain

Last Action: *04/30/2019 Senate Received from the House*

Summary: Would broaden access to college campuses for the purpose of expressive activities. The bill defines “Expressive Activities” as speech or expressive conduct based on the U.S. and Texas Constitutions, and gives examples of what the term includes: assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

The bill also stipulates that the policy of this state include freedom of speech and assembly as central to the mission of IHEs, and further stipulates that IHEs shall ensure the common outdoor areas of the institution’s campus are deemed traditional public forums and permit any person to engage in expressive activities in those areas, as long as the person’s conduct is not unlawful nor disruptive.

HB 2100 also includes injunctive relief, declaratory judgement, awarding damages, and a sovereign immunity provision which would waive an IHE’s immunity from suit and liability, all of which are of concern to IHEs.

It was SB 18 that did pass and has similar provisions, albeit the changes to current law are not as dramatic and the relief, judgement, damages, and sovereign immunity provisions are not included.

JOBS & EDUCATION FOR TEXAS (JET) PROGRAM FUNDING EXPANSION

SB 756 by Hinojosa

Last Action: *Committee report sent to House Calendars Committee*

Summary: Would add eligible non-profits to those allowed to apply for JET funding, allowing the Texas Workforce Commission to award a grant to a nonprofit organization for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations. Certain conditions would apply, including above average developmental, persistence, and completion rates among the students the nonprofit trains, employment of participating students, and matching funds to be provided by the nonprofit organization.

SB 1709 by Lucio

Last Action: *03/14/2019 Senate Referred to Higher Education*

Summary: Would make certain career schools or colleges eligible for the JET Program. Eligible career school or college means those that are operated on a nonprofit basis and under a certificate of approval issued by the Texas Workforce Commission.

TEXAS GRANT RESTRICTION

SB 34 by Zaffirini

Last Action: *Not again placed on the Senate Intent Calendar*

Summary: Would reduce the maximum number of SCHs allowed for a TEXAS Grant by stipulating that a person may not receive a TEXAS grant for more than the greater of 135 semester credit hours or the equivalent, or 15 semester credit hours, or the equivalent, in addition to the number of credit hours needed to complete the student's degree program.

The bill would also reduce the funding sources used to supplement a TEXAS Grant.

BACCALAUREATE EXPANSION AT COMMUNITY COLLEGES

HB 2193 by Muñoz

Last Action: *Committee report sent to House Calendars*

Summary: Would authorize the Texas Higher Education Coordinating Board to approve South Texas College to increase the number of baccalaureate degree programs offered from five to six.

EDUCATOR TRAINING

SB 293 by Lucio

Last Action: *Committee report sent to House Calendars*

Summary: Would require certain training and staff development for primary and secondary educators to enable them to more effectively serve students with disabilities.

BILINGUAL ZONES

HB 168 by Canales

Last Action: *Left pending in House State Affairs Committee*

Summary: Would require a study on the creation of bilingual zones in certain areas of this state. The study would be conducted by the Comptroller of Public Accounts in cooperation with the B3 Institute at UTRGV and others.

BORDER PUBLIC HEALTH / LABORATORY TESTING

SB 1119 by Lucio

Last Action: *Committee report sent to House Calendars*

Summary: Would establishment of a border public health initiative by the Department of State Health Services to reduce the adverse health impacts of diabetes, hypertension, and obesity for adults and children in border counties. The bill stipulates that DSHS may consult and collaborate with medical schools to develop the Initiative, and may consult and collaborate with academic centers located in border counties to satisfy the requirement that DSHS conduct bilingual, culturally appropriate outreach campaigns.

SB 1120 by Lucio

Last Action: *House Placed on General State Calendar*

Summary: Would require DSHS to provide to community health workers, health professionals, and applicable employees of a local health department or public health district continuing education designed to reduce the incidence of communicable and other diseases in border counties.

SB 1121 by Lucio

Last Action: *Committee report sent to House Calendars*

Summary: Would require DSHS to enter into agreements with institutions of higher education and public and private testing laboratories in this state to increase the availability of public health laboratory services for local health departments. The bill would also require DSHS to prepare a study on public laboratories in border counties to include information on the existing testing capabilities of the public laboratories, focusing on clinical, environmental, and zoonotic testing capabilities.

HB 1424 by Guerra

Last Action: *Left pending in the House Public Health Committee*

Summary: Would require DSHS to enter into an agreement with an institution of higher education located in Cameron or Hidalgo County to increase the availability of laboratory services in border counties.

HB 1425 by Guerra

Last Action: *Left pending in the House Public Health Committee*

Summary: Would require DSHS to provide year-round laboratory support for arboviral testing of vector-borne infectious diseases in border counties.

LAW SCHOOL IN THE RIO GRANDE VALLEY

HB 103 by Martinez

Last Action: *Referred to Senate Higher Education*

Summary: Would authorize the governing board of a university system to establish a law school in the Rio Grande Valley.

HAZLEWOOD DATA COLLECTION

HB 2557 by Schaefer

Last Action: *Committee report sent to House Calendars*

Summary: Hazlewood data required by LBB from each IHE every semester.

MONUMENTS/MEMORIALS REGULATION

SB 1663 by Creighton

Last Action: *Committee report sent to House Calendars*

Summary: Would stipulate standards for the removal, relocation, alteration, or construction of certain monuments or memorials located on public property, including public IHEs.

CAMPUS FOOD SERVICE REQUIREMENT

HB 1014 by Martinez

Last Action: *Committee report sent to House Calendars*

Summary: Would require UTRGV and other IHE food service contractors to hire only CPR certified cashiers or servers.

MEDICAL SCHOOL RELATED

HB 2798 by Klick

Last Action: 05/09/2019 House Placed on General State Calendar

Summary: Relating to the reimbursement of certain urban teaching hospitals for the provision of inpatient hospital care under Medicaid. The bill would require HHSC to update the Indirect Medical Education (IME) add-on payment formula annually to allow for more accurate payments based in part on the current number of medical residents hosted by a hospital's GME program.

HB 146 by Minjares

Last Action: Left pending in the House Public Health Committee

Summary: Would provide for the adoption of cats and dogs previously used for research.



VALLEY/VAQUERO LEGISLATIVE INTERNSHIP PROGRAM (VLIP)



Pictured from left to right: Khalid Aboujamous-Sen. Zaffirini; Ylana Robles-Rep. Martinez; Erick Longoria-Sen. Lucio; Stacie Morales-Rep. Guerra; Jesus Galindo-Rep. Dominguez; Bertha Lance-Rep. Lucio; Javier Bustos-Rep. Canales; Sharo Lopez-Alternate; Giovanni Rosas-Escobedo-Sen. Hinojosa; Jacquelyn Hernandez-Rep. Guillen; Eric Vargas-Rep. Muñoz; Monica Garcia-Rep. Longoria.

- THIRD COHORT OF VLIP INTERNS AT THE TEXAS CAPITOL
- 11 INTERNS PLACED IN EACH OF THE VALLEY DELEGATION OFFICES
- TREMENDOUS OPPORTUNITY FOR OUR STUDENTS
- CAN BE EXTREMELY HELPFUL TO LEGISLATORS
- VLIPERS ARE OUR ADVOCATES IN AUSTIN AND ADD AN EXTRA SET OF “EYES & EARS” AT THE CAPITOL

VLIP has been the best experience for my academic, professional, and personal growth. I highly recommend this program to future students for an experience full of lessons. Thank you UTRGV for this marvelous opportunity that I will always treasure!

...Bertha Lance, VLIP Intern

I am incredibly grateful to the UTRGV and its VLIP program for allowing me the opportunity to gain a firsthand experience of the political and legislative process. The internship provided an abundance of lessons, that I will be able to apply to my future endeavors. The experience taught me discipline, responsibility, and integrity.

...Javier Bustos, VLIP Intern

The VLIP program allowed me to use policy and legislative knowledge from my classes during my internship. I never imagined that I would have the opportunity to help shape policy and work in bills that would become laws at the end of the Legislative Session. After the program, I feel more prepared for a career in policy and government.

...Giovanni Rosas Escobedo, VLIP Intern

The experience I had as a legislative intern at the Capitol was one that I still wish was not over. I was able to widen my knowledge on the Texas Legislature and I had the opportunity to witness the changes in the Texas laws. This experience was definitely a very unique one and one that will forever have a positive impact on my future career path.

...Ylana Robles, VLIP Intern

UTRGV's Valley Legislative Internship Program gave me an incredible experience. I got the chance to make lifelong connections, help develop and pass legislation, and get a deep understanding of the legislative process - all at the age of 21!

...Erick Longoria, VLIP Intern

A SPECIAL NOTE OF THANKS

On behalf of the students, faculty, staff, and administration of UTRGV, we extend our gratitude to our Valley Legislative delegation for their strong advocacy and dedication to the Valley during the 86th Legislative session.

Sen. Eddie Lucio, Jr.

Sen. Juan “Chuy” Hinojosa

Sen. Judith Zaffirini

Rep. Ryan Guillen

Rep. Armando “Mando” Martinez

Rep. Eddie Lucio, III

Rep. Sergio Muñoz, Jr.

Rep. R.D. “Bobby” Guerra

Rep. Oscar Longoria

Rep. Terry Canales

Rep. Alex Dominguez



FACT / Sine Die (sī-ni- 'dī)... The term is used by the Texas Legislature to signify the final adjournment of a session of the legislative body. The Latin origins of the term translate to “without day” and Merriam-Webster defines the term as without any future date being designated (as for resumption).