

## **BILL ANALYSIS**

Senate Research Center  
83R11711 KEL-F

H.B. 2892  
By: Raney (Hegar)  
Higher Education  
5/2/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Most state university systems and the independent public universities in Texas currently have the authority to grant, sell, or lease university and campus property without legislative approval. There are two current exceptions.

Section 109.54 (Management of Lands), Education Code, prohibits the Texas Tech University (TTU) System board from selling any of the original main campus located in Lubbock, Lubbock County, unless the sale is approved by an act of the legislature. The TTU System board may, however, grant or lease main campus property without legislative approval.

Section 85.25(b), Education Code, authorizes The Texas A&M University (TAMU) System board to grant, sell, or lease lands and mineral interests under its jurisdiction that do not comprise TAMU's original main campus. Moreover, Section 85.25(c)(1), Education Code, with certain specific exceptions, prohibits the TAMU System board from granting, selling, or leasing the surface estate of the original main campus unless approved by an act of the legislature.

H.B. 2892 changes the language in Section 85.25 (Lands and Mineral Interests), Education Code, that restricts, including without prior legislative approval, the ability of the TAMU System board to grant, sell, or lease lands and mineral interests, as well as surface property, of TAMU's original main campus.

Passage of this bill will provide the TAMU System board with the authority to grant, sell, or lease property on the main campus of TAMU consistent with its authority over other lands owned by the System, and consistent with the authority currently provided to most other state university systems and public independent universities in Texas.

H.B. 2892 amends current law relating to the authority of the board of regents of The Texas A&M University System to dispose of real property and mineral interests under its jurisdiction.

### **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 Section 85.25(b), Education Code, to authorize the board of regents of The Texas A&M University System (board) to grant, sell, lease, or otherwise dispose of the lands and mineral interests under its jurisdiction to other units or agencies of government, or to any individual, group of individuals, corporation, or other entity, under terms and conditions the board considers best in the public interest, rather than authorizing the board to grant, sell, lease, or otherwise dispose of the lands and mineral interests under its jurisdiction that do not comprise any portion of the original main campus of Texas A&M University to other units or agencies of government, or to any individual, group of individuals, corporation, or other entity under terms and conditions it deems best in the public interest.

SECTION 2. Repealers: Section 85.25(c) (relating to requiring certain action the board takes for Texas A&M University to be approved by Act of the legislature) and (d) (relating to the original

main campus of Texas A&M University comprising that certain 748 acres, more or less, bounded by certain roads in College Station, Texas), Education Code.

SECTION 3. Effective date: upon passage or September 1, 2013.