

BILL ANALYSIS

Senate Research Center

H.B. 621
By: Jackson (Patterson)
Finance
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Engrossed

DIGEST

Texas Chiropractic College is a private, nonprofit, professional institution of higher education. Currently, it is accredited by the Council for Chiropractic Education Commission on Accreditation. There are certified chiropractors in 180 counties across the state of Texas. The Texas Chiropractic College is seeking affiliation with a state accredited university and would be the first such affiliation in the United States. Chiropractic education is the only health care profession that is not part of a university system.

PURPOSE

As proposed, H.B. 621 allows the Texas Chiropractic College (college) to become a public institution of higher education with the approval of the Texas Higher Education Coordinating Board (coordinating board), the governing board of the university system selected by the coordinating board and the board of trustees of the college by August 31, 1998.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the governing board of the university system selected by the Texas Higher Education Coordinating Board in SECTION 9 (Section 114.002(a)(6)) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. DEFINITIONS. Defines "governing board," "institution of higher education," "university system," and "new institution."

SECTION 2. TRANSFER OF GOVERNANCE. Requires the Texas Higher Education Coordinating Board (coordinating board), no later than August 31, 1998, to determine if there is a compelling public need or compelling state interest in establishing Texas Chiropractic College (college), as an institution of higher education. Sets forth requirements for transferring the college to the governing board of the university system selected by the coordinating board.

SECTION 3. POWERS AND DUTIES; RULES AND POLICIES. Sets forth powers, duties, rules, and policies of the college after the transfer.

SECTION 4. CONTRACTS AND WRITTEN OBLIGATIONS. Provides that a contract or other written obligation entered into by the board of trustees of the college for the benefit of or on behalf of the college is ratified, confirmed, and validated. Provides that in contracts entered into by the board of trustees of the college, the governing board of the university system to which the college is transferred is substituted for and stands in the place of the board of trustees of the college.

SECTION 5. EFFECT ON EMPLOYEES. Sets forth the effects of the transfer on employees.

SECTION 6. TRANSFER OF FUNDING. Provides that funds of the college on the effective date of the transfer are transferred to the governing board of the university system to which the college is transferred.

SECTION 7. EFFECT ON STUDENTS. Sets forth the effect of the transfer on students.

SECTION 8. LEGISLATIVE INTENT. Sets forth the intent of the legislature.

SECTION 9. AMENDMENT. Provides that if a transfer is approved under SECTION 2 of this Act, Title 3F, Education Code, is amended on September 1, 1998, by adding Chapter 114, as follows:

CHAPTER 114. CHIROPRACTIC COLLEGE

Sec. 114.001. CHIROPRACTIC COLLEGE. Provides that the chiropractic college constituting the Texas Chiropractic College, operated as a nonprofit corporation and transferred to this state by an Act of the 75th Legislature, Regular Session, 1997, is a component institution of the university system to which the college was transferred and, under the management of the governing board of that system. Provides that the governing board has the same powers and duties concerning the college as are conferred on it by law concerning any component institution of the university system.

Sec. 114.002. POWERS OF THE BOARD. Sets forth the powers of the governing board. Requires certain salaries to be apportioned among certain institutions.

SECTION 10. NOTICE. Requires the governing board to publish notice of transfer in the Texas Register.

SECTION 11. Emergency clause.
Effective date: upon passage.