

## **BILL ANALYSIS**

Senate Research Center  
77R9726 KEL-F

H.B. 2238  
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Education  
5/4/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, the governing body of an institution of higher education (institution) in a county having a population in excess of 2 million may vacate, abandon, and close city streets or alleys. However, problems involving easements and utilities have arisen that may require changes to the statute to clarify the law. H.B. 2238 requires an institution in a county with a population in excess of 3 million to provide to the appropriate governmental body written notice of its intention to take such action and grant specified easements.

### **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 51.904, Education Code, to authorize the governing board, rather than body, of an institution of higher education (board) as defined by Section 61.003 in a county having a population of more than 3 million, rather than in excess of 2,000,000, to vacate, abandon, and close a street or alley running through the campus under certain conditions. Sets forth certain conditions under which a board is authorized to close a street or alley running through the campus.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.