

**Rider Comparison Packet**

**Conference Committee on Senate Bill 1**

**2022-23 General Appropriations Bill**

**Article III – Higher Education**

## HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS

Differences Only - Excludes Capital

Senate

House

### 8. Benefits Proportionality Audit Requirement.

- a. Each institution of higher education, excluding Public Community/Junior Colleges, shall conduct an internal audit of benefits proportional by method of finance and submit a copy of the internal audit to the Legislative Budget Board, Comptroller of Public Accounts, and State Auditor's Office no later than August 31, 2022. The audit must examine fiscal years 2019, 2020, and 2021, and must be conducted using a methodology approved by the State Auditor's Office.
- b. If the internal audit conducted by an institution identifies any instances in which an institution has not been compliant with the proportionality requirements provided by Article IX, Sec. 6.08, Benefits Paid Proportional by Method of Finance in the prior three fiscal years defined in subsection (a) and received excess General Revenue as a result of this noncompliance, the institution shall submit a reimbursement payment to the Comptroller of Public Accounts within two years from the conclusion of the institution's audit. The Comptroller of Public Accounts shall notify the Legislative Budget Board and State Auditor's Office of all reimbursement payments submitted by an institution of higher education.
- c. If an institution has previously conducted an internal audit of benefits proportional by fund for the fiscal years included in subsection (a) using a methodology determined to be acceptable by the State Auditor's Office, the State Auditor's Office may waive the requirement that the institution conduct an additional internal audit. The State Auditor's Office shall notify the Legislative Budget Board and Comptroller of Public Accounts of any institutions who receive such a waiver. Any institution that receives a waiver from the audit requirement from the State Auditor's Office is still subject to the provisions of subsection (b) for any instances of noncompliance that were identified.
- d. For fiscal year 2022 and 2023, institutions of higher education shall also consider audits of benefits proportional when developing their annual internal audit plans.
- e. It is the intent of the Legislature that the State Auditor's Office audit at least two institutions of higher education for compliance with benefits proportional provisions during the 2022-23 biennium.

### 8. Benefits Proportionality Audit Requirement.

- a. For fiscal year 2022 and 2023, institutions of higher education shall also consider audits of benefits proportional when developing their annual internal audit plans.
- b. It is the intent of the Legislature that the State Auditor's Office audit at least two institutions of higher education for compliance with benefits proportional provisions during the 2022-23 biennium.
- c. If an audit conducted identifies any instances in which an institution has not been compliant with the proportionality requirements provided by Article IX, Sec. 6.08, Benefits Paid Proportional by Method of Finance and received excess General Revenue as a result of this noncompliance, the institution shall submit a reimbursement payment to the Comptroller of Public Accounts within two years from the conclusion of the institution's audit. The Comptroller of Public Accounts shall notify the Legislative Budget Board and State Auditor's Office of all reimbursement payments submitted by an institution of higher education.

# HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital

## Senate

**5. Student Loan Program.** All monies and future receipts in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund, the Student Loan Auxiliary Fund, and the Student Loan Revenue Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, §§50b-4, 50b-5, 50b-6 and 50b-7 of the Texas Constitution and Education Code §§52.01-52.91 and 56.121-56.135. Any payments received on B-On-Time loans shall be deposited to the General Revenue Fund and are hereby appropriated to Strategy A.1.2 for administration of the loan program.

**27. Professional Nursing Shortage Reduction Program.** Appropriations for the Professional Nursing Shortage Reduction program total \$9,440,024 in fiscal year 2022 and \$9,440,024 in fiscal year 2023. These funds shall be allocated as follows:

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy D.1.6, as follows:

- a. Up to 5 percent each year may be used for administrative expenses.
- b. \$3,123,557 in fiscal year 2022 and \$3,123,557 in fiscal year 2023 shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing students graduating. Nursing graduates include graduates for both initial licensure and bachelor's completion, RN-to-BSN programs. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.3808 and 51.3817. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.
- c. \$4,302,157 in fiscal year 2022 and \$4,302,157 in fiscal year 2023 shall be distributed at a rate of \$10,000 per year for each additional nursing student enrolled in a professional nursing program to institutions with professional nursing programs based on the following criteria:

## House

**5. Student Loan Program.** All monies and future receipts in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund, the Student Loan Auxiliary Fund, and the Student Loan Revenue Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, §§50b-4, 50b-5, 50b-6 and 50b-7 of the Texas Constitution and Education Code §§52.01-52.91 and 56.121-56.135. Any payments received on B-On-Time loans shall be deposited to the General Revenue Fund and are hereby appropriated to Strategy A.1.2 for administration of the loan program. Full-Time Equivalents (FTEs) employed by the Coordinating Board paid exclusively with bond proceeds appropriated in this Rider who are employed only to support the College Access Loans program are excluded from the Coordinating Board's FTE limit and exempted from the provisions set out in Article IX, §6.10.

**27. Professional Nursing Shortage Reduction Program.** Appropriations for the Professional Nursing Shortage Reduction program, which are included in Strategy C.1.3, Medical Education and Health Related Workforce Development, total \$9,440,024 in fiscal year 2022 and \$9,440,024 in fiscal year 2023. These funds shall be allocated as follows:

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy C.1.3, as follows:

- a. Up to 5 percent each year may be used for administrative expenses.
- b. Funds shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing students graduating. Nursing graduates include graduates for both initial licensure and bachelor's completion, RN-to-BSN programs. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.3808 and 51.3817. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.
- c. For THECB expenditure purposes, any funds not expended in fiscal year 2022 may be expended in fiscal year 2023 for the same purposes. If an institution spends funds on non-

## HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital

(Continued)

### Senate

- (1) a graduation rate of 70 percent or above as reflected in the final 2020 graduation rates reported by the THECB and (2) an increase in new enrollees for fiscal year 2020 and in fiscal year 2021 of the first-year enrollments for the 2019-20 academic year as reported by the institutions to the Texas Center for Nursing Workforce Studies. The percentage increase required each year of the biennium shall be determined by the Higher Education Coordinating Board in consultation with eligible nursing programs. The methodology for determining the required percentage increase may allow for the required increase to vary by institution and account for the reallocation of unearned funds.
- d. \$2,014,310 in fiscal year 2022 and \$2,014,310 in fiscal year 2023 to (1) professional nursing programs with nursing graduation rates below 70 percent as reflected in the final 2020 graduation rates reported by the THECB, (2) hospital-based diploma programs, or (3) new professional nursing programs whose graduation rates which have not been determined by the THECB. From funds available for that purpose, institutions shall receive \$20,000 for each additional initial RN graduate in two year programs and \$10,000 for each additional graduate in one-year programs. If sufficient funds are not available to provide this allocation, the THECB shall distribute the funds on a pro rata basis equally among the nursing programs participating. THECB shall develop an application process for institutions willing to increase the number of nursing graduates. The application shall indicate the number of nursing graduates for initial licensure the institution will produce; indicate the number of payments and payment schedule; identify benchmarks an institution must meet to receive payment; and specify the consequences of failing to meet the benchmarks.
- e. For THECB expenditure purposes, any funds not expended in fiscal year 2022 may be expended in fiscal year 2023 for the same purposes. If an institution does not meet targets for purposes of subsections b, c, and d, the institution shall return these unearned funds to the THECB by the date specified by THECB rule. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.
- f. If the funds appropriated under Paragraphs b, c, or d exceed the funds that can be expended in accordance with the requirements of that paragraph, THECB may expend the excess funds for any purpose described in Paragraphs b, c, or d. The THECB may not include nonresident students who are enrolled in online professional nursing programs while residing outside of the state in methodologies used to calculate program awards described in Paragraphs b, c, or d.

### House

- qualifying expenditures or does not spend the funds within the designated timeframe, the institution shall return these funds to the THECB by the date specified by THECB rule. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.
- d. The THECB may not include nonresident students who are enrolled in online professional nursing programs while residing outside of the state in methodologies used to calculate program awards described in Paragraph b.
- e. Using funds under subsection (a), the Higher Education Coordinating Board shall consider if and how metrics relating to quality of nursing programs should be incorporated in the program and any recommendations for weighting of different types of nursing degrees awarded. The Coordinating Board shall confer with higher education nursing programs and the Texas Nurses Association in the developing of these weighted metrics. The Coordinating Board shall make any recommendations to the Legislature by November 1, 2022. It is the intent of the legislature that this subsection (e) expire after the 2022-23 biennium.

## HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital

(Continued)

Senate

House

- g. Using funds under (a), the Higher Education Coordinating Board shall study the effectiveness of the Professional Nursing Shortage Reduction Program in addressing the shortage of professional nurses in the state. This study shall be conducted in coordination with a work group convened by the THECB and composed of representatives from the state nursing association, Texas Board of Nursing, Department of State Health Services Center for Nursing Workforce Studies, nursing deans and directors from public and private institutions of higher education in the state (or individuals that serve in similar roles) and other stakeholders as appropriate. In conducting this study, the Coordinating Board shall examine the structure and efficiency of the program, as well as other state funding strategies to address the nursing shortage. The Coordinating Board shall report the results of this study as well as any recommendations to improve the state's efforts to address the nursing shortage to the Legislature by November 1, 2022. THECB may reimburse work group travel expenses pursuant to Article IX, Section 5.08.

**47. Advise TX Reporting Requirement.** Out of funds appropriated above, the Higher Education Coordinating Board shall report information regarding the effectiveness of the Advise TX program to the Legislative Budget Board and Governor's Office by October 1st of each year.

**46. Advise TX Reporting Requirement.** Out of funds appropriated above, the Higher Education Coordinating Board shall report information regarding the effectiveness of the Advise TX program to the Legislative Budget Board and Governor's Office by January 1st of each year.

**50. Upskilling and Reskilling Program Capacity Grants.** Out of funds appropriated above to Strategy A.1.4, Upskilling and Reskilling Program Capacity Grants, the Texas Higher Education Coordinating Board shall distribute \$3.0 million in grants to institutions of higher education to establish or scale educational and training programs developed in partnership with employers that enable adult learners to develop skills and achieve high-value credentials in line with current and future regional workforce needs for high-demand, high-wage occupations in energy, healthcare, financial services, information and technology, and other high growth industry sectors. Any balances remaining as of August 31, 2022, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2022.

# HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital  
(Continued)

Senate

House

## 52. Informational Listing of Appropriated Funds: Educational Loan Repayment Programs.

The distribution of available amounts in Strategy C.1.2, Educational Loan Repayment Program includes the following program allocations:

<b>Program</b>	<b>2022</b>	<b>2023</b>
Teach for Texas Loan Repayment Program	\$1,304,063	\$1,304,063
Math and Science Loan Repayment Program	1,255,313	1,255,313
Peace Officer Loan Repayment Program	2,063,757	2,063,757
Physician Education Loan Repayment Program	14,467,492	14,467,492
Mental Health Loan Repayment Program	1,035,938	1,035,938
Nursing Faculty Loan Repayment Program	1,462,500	1,462,500
<b>Total</b>	<b>\$21,889,063</b>	<b>\$21,889,063</b>

If General Revenue funds appropriated for any program above exceed the funds that can be expended in accordance with the requirements of the program, the Higher Education Coordinating Board may expend the excess funds for any other purpose above.

Any unexpended balances on hand at the end of fiscal year 2022 are appropriated for the same purposes in fiscal year 2023.

## 53. Informational Listing of Appropriated Funds: Medical Education and Health Related

**Workforce Development.** The distribution of available amounts in Strategy C.1.3, Medical Education and Health Related Workforce Development includes the following program allocations:

<b>Program</b>	<b>2022</b>	<b>2023</b>
Family Practice Residency Program	\$4,750,000	\$4,750,000
Preceptorship Program	1,425,000	1,425,000
GME Expansion	75,250,000	75,250,000
Trauma Care Program	1,957,203	1,957,203
Joint Admission Medical Program	9,696,794	UB
Professional Nursing Shortage Reduction Program	9,440,024	9,440,024

# HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital

(Continued)

Senate

House

**Total**

**\$102,519,021**

**\$92,822,227**

If General Revenue funds appropriated for any program above exceed the funds that can be expended in accordance with the requirements of the program, the Higher Education Coordinating Board may expend the excess funds for any other purpose above.

Any unexpended balances on hand at the end of fiscal year 2022 are appropriated for the same purposes in fiscal year 2023.

**55. Student Financial Aid.** Funds appropriated in Strategy B.1.11, Student Financial Aid, shall be used for the TEXAS Grant Program, Tuition Equalization Grant Program, Texas Educational Opportunity Grant Program-Community Colleges and Texas Educational Opportunity Grant Program-State and Technical Colleges. Any balances remaining as of August 31, 2022, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2022

**56. Professional Nursing Shortage Reduction Program.** It is the intent of the Legislature that to the extent federal funds become available to the agency, and to the extent that those funds can be used for such purpose, in addition to amounts appropriated above in Strategy C.1.3., Medical Education and Health Related Workforce Development, \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 in Federal Funds appropriated for the American Rescue Plan Act shall be used for the Professional Nursing Shortage Reduction Program. Any balances on hand at the end of fiscal year 2022 are appropriated for fiscal year 2023 for the same purpose.

**56. Graduate Medical Education Expansion Administration.** It is the intent of the legislature, that in administrating the program above in Strategy D.1.3, Graduate Medical Education Expansion, the Higher Education Coordinating Board shall consider the timing of the grant application and award process, and shall consider the time needed to obtain accreditation approval of new residency positions as well as the time needed to allow new residency positions to be included in the next scheduled annual match process by the National Resident Matching Program.

## HIGHER EDUCATION COORDINATING BOARD

Differences Only - Excludes Capital

(Continued)

Senate

House

**57. Contingency for Senate Bill 1888.** Contingent on enactment of SB 1888, or similar legislation relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program, by the Eighty-seventh Legislature, Regular Session, included in amounts appropriated above in Strategy A.1.3, College Readiness and Success, is \$\_\_\_\_\_ for fiscal year 2022 and \$\_\_\_\_\_ for fiscal year 2023 from General Revenue Funds to implement the provisions of the legislation.



# THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION

Differences Only - Excludes Capital

Senate

House

### 3. Reporting Requirement for Capital Projects for the University of Texas System

**Administration.** By December 1 of each year, The University of Texas System shall submit a report to the Legislative Budget Board for the prior fiscal year that includes information on all capital construction projects paid for with funds appropriated by this Act, having a cost in excess of \$1,000,000 and having the purpose of directly supporting the administration and operation of The University of Texas System Administration or the Board of Regents of The University of Texas System. The report must include at a minimum for each capital project: (1) the purpose of the project; (2) the total cost of the project; (3) the source of funding for the project; (4) the savings achieved by the project; and (5) any other information requested by the Legislative Budget Board.

## AVAILABLE UNIVERSITY FUND

Differences Only - Excludes Capital

### Senate

**3. The University of Texas System Share.** There is appropriated for the biennium ending August 31, 2023, that portion of the Available University Fund No. 011 apportioned to The University of Texas System by Article VII, §18(f) of the Texas Constitution, together with interest and any balance in the Available University Fund No. 011 for any previous years, except that portion appropriated by §18 for the payment of principal and interest on bonds or notes issued by the Board of Regents of The University of Texas System. This appropriation and any amounts derived from refinancing and/or early retirement of debt or other obligations derived from funds from the Permanent University Fund and/or Available University Fund may only be used for:

- a. new construction, major repairs and rehabilitation, equipment, maintenance, operation, salaries, endowments, and support, including the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions for The University of Texas at Austin; and
- b. necessary direct administration operations of The University of Texas System Administration and for necessary expenses to provide administrative support for Board operations.

The University of Texas System is prohibited from using Available University Fund appropriations for Board travel, food, and the Board's meeting expenses. This prohibition does not include functions of the Board that are statutorily required, or reimbursements for the student regent. The University of Texas System Administration and Board of Regents must use Available University Fund appropriations for the purposes consistent with Article VII, Section 18(f) of the Texas Constitution and are prohibited from using Available University Fund appropriations not expressly authorized above.

### House

**3. The University of Texas System Share.** There is appropriated for the biennium ending August 31, 2023, that portion of the Available University Fund No. 011 apportioned to The University of Texas System by Article VII, §18(f) of the Texas Constitution, together with interest and any balance in the Available University Fund No. 011 for any previous years, except that portion appropriated by §18 for the payment of principal and interest on bonds or notes issued by the Board of Regents of The University of Texas System. This appropriation and any amounts derived from refinancing and/or early retirement of debt or other obligations derived from funds from the Permanent University Fund and/or Available University Fund may only be used for:

- a. new construction, major repairs and rehabilitation, equipment, maintenance, operation, salaries, endowments, and support, including the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions for The University of Texas at Austin; and
- b. necessary direct administration operations of The University of Texas System Administration and for necessary expenses to provide administrative support for Board operations.

The University of Texas System is prohibited from using Available University Fund appropriations for Board travel, food, and the Board's meeting expenses. This prohibition does not include functions of the Board that are statutorily required, or reimbursements for the student regent.

**PRAIRIE VIEW A&M UNIVERSITY**

Differences Only - Excludes Capital

**Senate**

**House**

**6. Report on Police Brutality.**

- (a) Out of funds appropriated above, the Center for Race and Justice at Prairie View A&M University shall conduct a study on the use of deadly force and police brutality in current policing procedures.
- (b) The study must:
  - (1) examine the practices of state and local law enforcement agencies;
  - (2) review available data regarding the individuals affected by and the outcomes of the practices described by Subdivision (1) of this subsection;
  - (3) identify any racial disparities in the data reviewed under Subdivision (2) of this subsection; and
  - (4) consider whether there is a connection between any racial disparities identified under Subdivision (3) of this subsection and the policies adopted by state and local law enforcement agencies.
- (c) In conducting the study, Prairie View A&M University may coordinate with the Department of Public Safety, the Commission on Law Enforcement, and other agencies as needed.
- (d) Not later than May 25, 2022, the Center for Race and Justice at Prairie View A&M University shall submit to the governor, the lieutenant governor, and each member of the legislature a report that includes the results of the study conducted under this rider.

# TEXAS A&M UNIVERSITY – CENTRAL TEXAS

Differences Only - Excludes Capital

Senate

House

- 3. Upper Level Institution Support - Texas A&M University - Central Texas.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Upper Level Institution Support, for Texas A&M University - Central Texas will be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.

# TEXAS A&M UNIVERSITY - SAN ANTONIO

Differences Only - Excludes Capital

Senate

House

- 2. Expansion Funding - Texas A&M University - San Antonio.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Expansion Funding for the Texas A&M University - San Antonio will be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.

## TEXAS A&M UNIVERSITY - TEXARKANA

Differences Only - Excludes Capital

Senate

House

- 3. Expansion Funding - Texas A&M University - Texarkana.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.3, Expansion Funding for the Texas A&M University - Texarkana will be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.

# UNIVERSITY OF HOUSTON

Differences Only - Excludes Capital

Senate

House

- 2. Aircraft Authorized.** The University of Houston System Administration is authorized to acquire, operate and maintain, including replacing, one passenger airplane. Such airplane should be acquired by gift, if possible, but may be acquired by purchase subject to the authority under Government Code, Chapter 2205. All costs of acquisition, operation and maintenance, including replacement, may be paid out of institutional funds or appropriated funds. In the event that a temporary need arises, the University of Houston may expend funds for the lease or rental of an aircraft on an as-needed basis.

# UNIVERSITY OF HOUSTON - CLEAR LAKE

Differences Only - Excludes Capital

Senate

House

- 2. Expansion Funding - University of Houston - Clear Lake.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Expansion Funding for the University of Houston - Clear Lake be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases.



# UNIVERSITY OF HOUSTON - VICTORIA

Differences Only - Excludes Capital

Senate

House

- 2. Expansion Funding - University of Houston-Victoria.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Expansion Funding for the University of Houston-Victoria will be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.

# UNIVERSITY OF NORTH TEXAS AT DALLAS

Differences Only - Excludes Capital

Senate

House

- 2. Expansion Funding - University of North Texas at Dallas.** It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Expansion Funding for the University of North Texas at Dallas will be phased out by one-third over the next three biennia beginning in the 2024-25 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.

# TEXAS WOMAN'S UNIVERSITY

Differences Only - Excludes Capital

## Senate

- 3. Center for Women's Leadership in Business, Politics, and Public Policy.** Out of funds appropriated above to Strategy C.3.1, Center for Women's Leadership in Business, Politics, and Public Policy, \$8,193,918 in General Revenue in fiscal year 2022 and \$8,193,918 in fiscal year 2023 will be used for the Center for Women's Leadership in Business, Politics, and Public Policy.

Any unexpended balances (estimated to be \$0) from appropriations to the Center for Women's Leadership in Business, Politics, and Public Policy for the fiscal year ending August 31, 2022 are appropriated for the same purpose for the fiscal year beginning September 1, 2022.

## House

- 3. Center for Women's Leadership in Business, Politics, and Public Policy.** Out of funds appropriated above to Strategy C.3.1, Center for Women's Leadership in Business, Politics, and Public Policy, \$8,193,918 in General Revenue in fiscal year 2022 and \$8,193,918 in fiscal year 2023 will be used for the Center for Women's Leadership in Business, Politics, and Public Policy.

Any unexpended balances (estimated to be \$0) from appropriations to the Center for Women's Leadership in Business, Politics, and Public Policy for the fiscal year ending August 31, 2022 are appropriated for the same purpose for the fiscal year beginning September 1, 2022. Any unexpended balances (estimated to be \$0) from appropriations to the Center for Women's Leadership in Business, Politics, and Public Policy for the fiscal year ending August 31, 2023 are appropriated for the same purpose for the fiscal year beginning September 1, 2023.

# THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER

Differences Only - Excludes Capital

Senate

House

- 6. School of Public Health.** The University of Texas Southwestern Medical Center is authorized to initiate curriculum design and development, faculty recruitment, and commencement of organization and other processes necessary to attain accreditation of a school of public health.

# THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER

Differences Only - Excludes Capital

## Senate

**8. Medical Education.** The University of Texas Health Science Center at Tyler is authorized to use funds appropriated above to initiate curriculum design and development, faculty recruitment, and commencement of organization and other processes necessary to attain accreditation of a Doctor of Medicine (M.D.) Program.

## House

**8. Medical Education.** The University of Texas Health Science Center at Tyler is authorized to use funds appropriated above to establish a Doctor of Medicine (M.D.) Program.

# UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH

Differences Only - Excludes Capital

Senate

House

**5. Institute for Patient Safety and Preventable Harm.** Out of funds appropriated to the University of North Texas Health Science Center at Fort Worth in Strategy D.1.2, Institute for Patient Safety and Preventable Harm, \$1,753,544 in General Revenue in fiscal year 2022 and \$1,753,544 in General Revenue in fiscal year 2023 will be used for the Institute for Patient Safety and Preventable Harm.

# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Differences Only - Excludes Capital

## Senate

- 5. Cancer Research.** Funds appropriated above in Strategy D.3.1, Cancer Research, to the Texas Tech University Health Sciences Center for cancer research is for new research opportunities for clinical trials in rural and underserved areas of Texas. These services shall be delivered in partnership with an established research entity conducting peer-reviewed research in cancer therapy and control. The amount of funds expended by Texas Tech University Health Sciences Center shall be limited to the amounts appropriated in the strategy. The appropriation of the funds is contingent upon the execution of a memorandum of understanding between the health sciences center and an established research entity that conduct peer-reviewed, audited research in cancer therapy and control. Any unexpended balance as of August 31, 2022, is hereby appropriated for the same purposes for fiscal year 2023.
  
- 6. School of Public Health.** Out of funds appropriated to Texas Tech University Health Sciences Center in Strategy D.1.4, School of Public Health, \$956,708 in General Revenue in fiscal year 2022 and \$956,708 in General Revenue in fiscal year 2023 will be used for the School of Public Health.

## House

- 5. Cancer Research.** Funds appropriated above in Strategy B.1.2, Performance Based Research Operations, to the Texas Tech University Health Sciences Center for cancer research is for new research opportunities for clinical trials in rural and underserved areas of Texas. These services shall be delivered in partnership with an established research entity conducting peer-reviewed research in cancer therapy and control. The amount of funds expended by Texas Tech University Health Sciences Center shall be limited to \$1,580,314 in General Revenue in fiscal year 2022 and \$1,580,314 in General Revenue in fiscal year 2023. The appropriation of the funds is contingent upon the execution of a memorandum of understanding between the health sciences center and an established research entity that conduct peer-reviewed, audited research in cancer therapy and control. Any unexpended balance as of August 31, 2022, is hereby appropriated for the same purposes for fiscal year 2023.

**PUBLIC COMMUNITY/JUNIOR COLLEGES**

Differences Only - Excludes Capital

**Senate**

**House**

**17. Instruction and Administration Funding (Outcomes-Based Model).** Formula funding is allocated among Public Community/Junior Colleges based upon certified contact hours generated in the previous academic year. Formula funding is allocated based on each community college's points earned from a three-year average of student completion of the following metrics:

**17. Instruction and Administration Funding (Outcomes-Based Model).** Formula funding is allocated among Public Community/Junior Colleges based upon certified contact hours generated in the previous academic year. Formula funding is allocated based on each community college's points earned from a three-year average of student completion of the following metrics:

<u>Metric</u>	<u>Points</u>
Student successfully completes developmental education in mathematics	1.0
Student successfully completes developmental education in reading	0.5
Student successfully completes developmental education in writing	0.5
Student completes first college-level mathematics course with a grade of "C" or better	1.0
Student completes first college-level course designated as reading intensive with a grade of "C" or better	0.5
Student completes first college-level course designated as writing intensive with a grade of "C" or better	0.5
Student successfully completes first 15 semester credit hours at the institution	1.0
Student successfully completes first 30 semester credit hours at the institution	1.5
Student transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.	3.0
Student receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.	1.2
Student receives from the institution an associate's degree,	

<u>Metric</u>	<u>Points</u>
Student successfully completes developmental education in mathematics	1.0
Student successfully completes developmental education in reading	0.5
Student successfully completes developmental education in writing	0.5
Student completes first college-level mathematics course with a grade of "C" or better	1.0
Student completes first college-level course designated as reading intensive with a grade of "C" or better	0.5
Student completes first college-level course designated as writing intensive with a grade of "C" or better	0.5
Student successfully completes first 15 semester credit hours at the institution	1.0
Student successfully completes first 30 semester credit hours at the institution	1.0
Student transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.	2.75
Student receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.	1.2
Student receives from the institution an associate's degree,	



**PUBLIC COMMUNITY/JUNIOR COLLEGES**

Differences Only - Excludes Capital  
(Continued)

**Senate**

a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.

3.25

**23. Designation of Critical Field Degrees and Certificates.** The Community and Technical Colleges Formula Advisory Committee, which is convened as per TEC, Section 61.059(b), shall designate following programs, as specified in the National Center for Education Statistics' Classification of Instructional Programs, as a critical field included as a metric in Rider 17, Instruction and Administration Funding (Outcomes-Based Model), in the Public Community/Junior College bill pattern, and remove their designation as a field other than a critical field included as a metric in the same rider, beginning in the 2020-21 biennium:

- a. Nuclear and Industrial Radiologic Technologies/Technicians;
- b. Physical Science Technologies/Technicians; and
- c. Heavy/Industrial Equipment Maintenance Technologies.

Community and Technical Colleges Formula Advisory Committee shall institute a formal process to designate and remove critical fields for the purposes of Rider 17 in a transparent, predictable manner based on emerging data and trends. The committee shall apply a formal methodology to the most recent, reasonably available, reliable data to approve two sets of fields for recommendation to the Higher Education Coordinating Board: one recommended for addition to the critical fields list, and one recommended for removal from the critical fields list.

**House**

a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.

3.0

**23. Designation of Critical Field Degrees and Certificates.** The Community and Technical Colleges Formula Advisory Committee, which is convened as per TEC, Section 61.059(b), shall designate following programs, as specified in the National Center for Education Statistics' Classification of Instructional Programs, as a critical field included as a metric in Rider 17, Instruction and Administration Funding (Outcomes-Based Model), in the Public Community/Junior College bill pattern, and remove their designation as a field other than a critical field included as a metric in the same rider, beginning in the 2020-21 biennium:

- a. Nuclear and Industrial Radiologic Technologies/Technicians;
- b. Physical Science Technologies/Technicians; and
- c. Heavy/Industrial Equipment Maintenance Technologies.

Community and Technical Colleges Formula Advisory Committee shall institute a formal process to designate and remove critical fields for the purposes of Rider 17 in a transparent, predictable manner based on emerging data and trends. The committee shall apply a formal methodology to the most recent, reasonably available, reliable data to approve two sets of fields for recommendation to the Higher Education Coordinating Board: one recommended for addition to the critical fields list, and one recommended for removal from the critical fields list.

It is the intent of the Legislature that the critical field designation as a metric in Rider 17 be redesignated as "targeted field" in the 2024-25 General Appropriations Act.

# TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION

Differences Only - Excludes Capital

Senate

House

**1. Coordination with Community/Junior Colleges.** In accordance with Education Code Chapter 135, prior to establishing a program in an area which is within a community/junior college district, the Texas State Technical College must receive authorization to offer such educational, technical or vocational programs from the Texas Higher Education Coordinating Board.

**3. Center for Employability Outcomes.** From amounts appropriated above in Strategy A.1.1, Forecasting & Curriculum Development, Texas State Technical College shall establish the Center for Employability Outcomes (C4EO) as a separate division of its operations to serve as a workforce research center for Texas. The Center's purpose is to align workforce training capacities with technical and industrial workforce needs, identify new technologies for inclusion in the development of programs, create and promote scalable talent pipeline and capacity-building solutions through basic and applied research, strategic alliance, technology commercialization, and collaborations with industries, associations, agencies, and other institutions of higher education. Emphasis shall be on high-demand or emerging occupations and technological skills and fields with near-term workforce relevance. Activities are intended to promote economic prosperity through access to and the development and enhancement of workforce training programs which result in industry-recognized micro-credentials, certificates, and traditional higher education degrees. It is the intent of the legislature that the A.1.1, Strategy, Forecasting & Curriculum Development, shall be renamed The Center for Employability Outcomes in the 2024-25 General Appropriations bill.

**SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF TEXAS STATE  
TECHNICAL COLLEGE**  
Differences Only - Excludes Capital

**Senate**

**House**

**12. Dual Credit.** It is the intent of the Legislature that the Texas Higher Education Coordinating Board work with Texas State Technical College to develop and recommend to the Eighty-seventh Legislature a new Strategy, separate from Returned-Value Formula Funding, to fund dual credit programs based upon the number of semester credit hours offered in dual credit by Texas State Technical College.

**13. Small Institution Supplement.** The Small Institution Supplement, as a set-aside within the General Academic Institution Infrastructure Formula, shall provide supplemental funding to the Texas State Technical Colleges with headcounts of fewer than 10,000 students. For the 2022-2023 biennium, Texas State Technical Colleges with a headcount of fewer than 5,000 students shall receive a small institution supplement of \$1,316,566. The small institution supplement shall decrease proportionate to the increase in headcount above 5,000 until the institution reaches 10,000 headcount. Once an institution reaches 10,000 headcount, it shall no longer be eligible for this supplement.

## TEXAS A&M AGRILIFE EXTENSION SERVICE

Differences Only - Excludes Capital

Senate

House

- 11. Feral Hog Abatement Contingency.** Contingent on the Department of Agriculture issuing guidelines concerning the use of warfarin that includes prohibiting use of this product within one mile of a river; restricting application only by licensed applicators; requiring reporting of bait location and outcome results by applicators to the Texas A&M Agrilife Extension Service; communicating that an applicator may lose their license if they do not comply with these guidelines; communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program; and notifying the Legislative Budget Board and the Comptroller of Public Accounts of the guidelines being issued: General Revenue in Strategy D.1.1. Wildlife Management is increased by \$250,000 each fiscal year in addition to the amounts appropriated above.

## TEXAS A&M ENGINEERING EXPERIMENT STATION

Differences Only - Excludes Capital

### Senate

- 3. Nuclear Power Institute.** Out of the funds appropriated above in Strategy A.3.1, Workforce Development, the Texas A&M Engineering Experiment Station shall allocate \$2,333,757 in fiscal year 2022 and \$2,333,757 in fiscal year 2023 in General Revenue to the Nuclear Power Institute to develop the necessary workforce for the new nuclear power plants developed in Texas and to sustain a new clean industry in Texas.

### House

- 3. Nuclear Engineering and Secure Manufacturing.** Out of the funds appropriated above in Strategy A.3.1, Workforce Development, the Texas A&M Engineering Experiment Station shall allocate \$2,333,757 in fiscal year 2022 and \$2,333,757 in fiscal year 2023 in General Revenue to implement programs and partnerships for the nuclear engineering industry and secure manufacturing sector.

## TEXAS A&M ENGINEERING EXTENSION SERVICE

Differences Only - Excludes Capital

### Senate

- 3. Ensuring Texas Task Force 1 and 2 Operational Readiness.** Out of the General Revenue funds appropriated above, \$1,506,375 per fiscal year shall be used to support the operational readiness of Texas Task Force 1, and \$1,000,000 per fiscal year shall be used to support the operational readiness of Texas Task Force 2.

### House

- 3. Ensuring Texas A&M Task Force 1 and Texas Task Force 2 Operational Readiness.** Out of the General Revenue funds appropriated above, \$1,506,375 per fiscal year shall be used to support the operational readiness of Texas A&M Task Force 1, and \$1,000,000 per fiscal year shall be used to support the operational readiness of Texas Task Force 2.

**TEXAS A&M VETERINARY MEDICAL DIAGNOSTIC LABORATORY**

Differences Only - Excludes Capital

**Senate**

**House**

- 3. Texas A&M Veterinary Medical Diagnostic Laboratory Fee Revenue.** The following is the estimated amount of fee revenue for the Texas A&M Veterinary Medical Diagnostic Laboratory during the 2022-23 biennium. The estimated amounts from these methods of financing below shall not be counted for purposes of calculating the limitations within Article IX, Section 6.08.

	<u>2022</u>	<u>2023</u>
Veterinary Medical Diagnostic Laboratory Fee Revenue, estimated	\$11,178,843	\$11,183,843
Drug Testing Laboratory Fee Revenue, estimated	\$738,760	\$738,760

As part of this requirement, the agency shall submit to the Legislative Budget Board a report showing the agency's usage of funds for the purpose of funding the benefit programs subject to the limitations within Article IX, Section 6.08. It is the intent of the legislature that the effect of this rider be reviewed prior to its continuation in any future act.

## TEXAS DIVISION OF EMERGENCY MANAGEMENT

Differences Only - Excludes Capital

### Senate

**7. Cash Flow Contingency for Federal Funds.** Contingent upon the receipt of federal funds in federally funded programs for Texas Division of Emergency Management, the Texas A&M University System may temporarily utilize additional General Revenue funds in the amount of \$10 million or 1% of the estimated federal funds to be received each year, whichever is greater, and deposit those funds to a local account established by the Texas A&M University System to temporarily fund expenses paid by the Texas Division of Emergency Management in support of any disaster or emergency related responses for the State of Texas. The General Revenue amounts utilized above the General Revenue method of finance shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, of the fiscal year in which they are received.

In addition, with the approval of the Legislative Budget Board and the Office of the Governor and based on the level of disaster response needed, the Texas A&M University System may request additional temporary funding for cash flow needs at the Texas Division of Emergency Management to support disaster and emergency response efforts. A request shall be considered approved unless the Legislative Budget Board or the Governor issues a written disapproval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

### House

**7. Cash Flow Contingency for Federal Funds.** Contingent upon the receipt of federal funds in federally funded programs for Texas Division of Emergency Management, the Texas A&M University System may temporarily utilize additional General Revenue funds in the amount of \$10 million or 1% of the estimated federal funds to be received each year, whichever is greater, and deposit those funds to a local account established by the Texas A&M University System to temporarily fund expenses paid by the Texas Division of Emergency Management in support of any disaster or emergency related responses for the state of Texas. The General Revenue amounts utilized above the General Revenue method of finance shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2023.

In addition, with the approval of the Legislative Budget Board and the Office of the Governor and based on the level of disaster response needed, the Texas A&M University System may request additional temporary funding for cash flow needs at the Texas Division of Emergency Management to support disaster and emergency response efforts.

**8. Indirect Cost funds Received.** Any indirect cost funds received by the Texas Division of Emergency Management shall be held locally in an account established by the Texas A&M University System. These funds shall be used and accounted for as institutional funds as outlined in Texas Education Code §51.009.



**SPECIAL PROVISIONS RELATING ONLY TO  
STATE AGENCIES OF HIGHER EDUCATION**

Differences Only - Excludes Capital

**Senate**

**Sec. 26. General Academic Funding.** Appropriations made in this Act for formula funding for general academic institutions will consist of four formulas and supplemental items.

These formulas and supplemental items shall be reviewed and updated by study committees appointed by the Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2022. The study committees shall review the expenditure study that is used for the cost matrix above, including determining and reviewing the growth of costs affiliated with higher education and its consequent impact on higher education institutions, and make recommendations for improvements to better reflect the actual expenditures of the institutions. The study committee recommendations shall be forwarded to the Legislative Budget Board along with the recommendations on formulas and supplemental items.

The formula advisory committees shall also review the Space Projection Model as it relates to distance education courses, including the different physical space and technology needs between traditional courses, online courses, and distance education courses, as well as information on associated costs of each course type, and recommend changes to the Space Projection Model to the Legislative Budget Board and Governor by June 1, 2022.

**Sec. 41. Report on Real Property.** Institutions of higher education shall use the appropriations above to submit to the Asset Management Division in the General Land Office the following information, as the General Land Office may require, in accordance with general law:

1. a description of each item of property by reference to a volume number and page or image number or numbers of the official public records of real property in a particular county, or if not applicable, by a legal description;
2. the date of purchase of the property, if applicable;
3. the purchase price of the property, if applicable;
4. the name of the institution holding title to the property for the state;
5. a description of the current uses of the property and of the projected future uses of the property during the next 15 years; and

**House**

**Sec. 26. General Academic Funding.** Appropriations made in this Act for formula funding for general academic institutions will consist of four formulas and supplemental items.

These formulas and supplemental items shall be reviewed and updated by study committees appointed by the Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2022.

**SPECIAL PROVISIONS RELATING ONLY TO  
STATE AGENCIES OF HIGHER EDUCATION**

Differences Only - Excludes Capital  
(Continued)

Senate

House

6. a description of each building or other improvement located on the property.
7. If the description of real property required by this section is excessively voluminous, as in the case of parkland, the division may direct the institution in possession of the real property to furnish the description only in summary form, as agreed to by the division and the institution involved.
8. In addition, if the institution of higher education has done an appraisal on the property, the date of the appraisal and the value broken out by land and improvements should be submitted.

**Sec. 42. Limitation on Use of Funds.** State agencies and institutions of higher education that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release in this Article shall submit a budget by November 1 of each year of the biennium to the Legislative Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency or institution of higher education. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.

**Sec. 46. Report Concerning Designated Tuition.**

- (a) Not later than January 1, 2022, the governing board of each public institution of higher education that charges students designated tuition under §54.0513, Education Code, shall use the appropriations in the Act to report to the legislature, for the 2019-20 and 2020-21 academic years:
  - (1) the amount the institution has collected in designated tuition;
  - (2) the purposes for which the institution spent the money derived from designated tuition and the amount of that money spent for each of those purposes; and

**SPECIAL PROVISIONS RELATING ONLY TO  
STATE AGENCIES OF HIGHER EDUCATION**

Differences Only - Excludes Capital  
(Continued)

**Senate**

**House**

(3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under §§56.011 and 56.012, Education Code and how these amounts are allocated under the following categories.

- (a) grants
- (b) scholarships,
- (c) work-study programs,
- (d) students loans,
- (e) and student loan repayment assistance.

(b) Reports required by this section shall be delivered to the Lieutenant Governor, the Speaker of the House, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the Legislative Budget Board.

**Sec. 61. Research Funding Reporting Requirement.** Each general academic institution and health related institution shall report, by December 1 of each year of the biennium, to the Legislative Budget Board and Governor, the following information:

(a) The amount of research funds awarded to the institution in the prior fiscal year, from appropriations made elsewhere in this Act, from the following, listed individually by source of funding:

1. Core Research Support;
2. Texas Research University Fund;
3. Comprehensive Research Fund;
4. Available National Research University Fund;
5. Texas Research Incentive Program;
6. Governor's University Research Initiative; and the
7. Cancer Prevention and Research Institute of Texas.

(b) For each individual award granted to an institution under programs listed in Subsection (a), the amount of funding, if any, provided to an institution from an external source as a matching award amount.

**SPECIAL PROVISIONS RELATING ONLY TO  
STATE AGENCIES OF HIGHER EDUCATION**

Differences Only - Excludes Capital  
(Continued)

Senate

House

**Sec. 64. Exclusion of Non-General Revenue Related Funds from State Imposed Hiring Freezes.**

For the 2022-23 biennium, federal funds, appropriated receipts, and indirect cost recovery appropriated to the Texas A&M Engineering Extension Service, Texas A&M Engineering Experiment Station, and the Texas A&M Transportation Institute are exempted from any state-wide hiring freeze.

**Sec. 65. Information Related to the Coronavirus Pandemic.** Each institution of higher education that has received funds related to the coronavirus pandemic from a state or federal agency shall report the receipt of those funds to the Higher Education Coordinating Board. The agency shall report the information collected to the Governor, Legislative Budget Board, and any appropriate standing committee in the Legislature on December 1st and June 1st of each fiscal year. The format and content of the report shall be specified by the Legislative Budget Board.

**Sec. 60. Information Related to the Coronavirus Pandemic.** Each institution of higher education that has received federal funds related to the coronavirus pandemic from a state or federal agency shall report the amount of the awards, expenditures, and uses of those funds to the Higher Education Coordinating Board. The agency shall report the information collected to the Governor, Legislative Budget Board, and any appropriate standing committee in the Legislature in January and July of each fiscal year. The format and content of the report shall be specified by the Legislative Budget Board in consultation with the Higher Education Coordinating Board.