

AN ACT

relating solely to the transfer of governance, management, and operation of West Texas State University from the board of regents of that institution to the board of regents of The Texas A&M University System.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. AMENDMENT. Subchapter B, Chapter 102, Education Code, is amended by adding Section 102.111 to read as follows:

Sec. 102.111. TRANSFER OF GOVERNANCE TO TEXAS A&M SYSTEM.

(a) The organization, control, and management of the university are transferred to the board of regents of The Texas A&M University System if that board and the board of regents appointed for the university under Section 102.11 of this code agree on the transfer not later than December 31, 1989, and the transfer is approved by the Texas Higher Education Coordinating Board not later than March 31, 1990. The transfer takes effect on the date agreed to by the boards and approved by the coordinating board.

(b) If the transfer is agreed to and approved under Subsection (a) of this section, the governance, operation, management, and control of the university, along with all right, title, and interest in the land, buildings, facilities, improvements, equipment, supplies, and property comprising that institution are transferred from the board of regents appointed under Section 102.11 of this code to the board of regents of The Texas A&M University System. The board of regents appointed under

1 Section 102.11 of this code is abolished on the effective date of  
2 the transfer.

3 SECTION 2. TRANSITION PROVISIONS. If the organization,  
4 control, and management of West Texas State University are  
5 transferred to the board of regents of The Texas A&M University  
6 System under Section 102.111, Education Code, as added by this Act,  
7 the provisions of Sections 3 through 8 of this Act apply to the  
8 transfer of West Texas State University to that system.

9 SECTION 3. TRANSFER. The governance, operation, management,  
10 and control of West Texas State University, along with all right,  
11 title, and interest in the land, buildings, facilities,  
12 improvements, equipment, supplies, and property comprising that  
13 institution, are transferred from the board of regents of West  
14 Texas State University to the board of regents of The Texas A&M  
15 University System.

16 SECTION 4. POWERS AND DUTIES. The board of regents of The  
17 Texas A&M University System shall undertake to govern, operate,  
18 manage, and control West Texas State University and all land,  
19 buildings, facilities, improvements, equipment, supplies, and  
20 property comprising that institution under the powers, duties, and  
21 responsibilities conferred by law on the board of regents of The  
22 Texas A&M University System for the governance, operation,  
23 management, and control of component institutions comprising that  
24 system.

25 SECTION 5. APPROPRIATIONS. Appropriations made for the use  
26 and benefit of West Texas State University under the governance of

1 the board of regents of West Texas State University are transferred  
2 to the board of regents of The Texas A&M University System for the  
3 use and benefit of West Texas State University. Other funds held  
4 for the use and benefit of West Texas State University shall  
5 continue to be available for the use and benefit of that  
6 institution notwithstanding the change in governance made by this  
7 Act.

SECTION 8. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES.

8 SECTION 6. CONTRACTS AND WRITTEN OBLIGATIONS. Contracts and  
9 written obligations of every kind and character, including bonds,  
10 entered into by the board of regents of West Texas State University  
11 for and on behalf of West Texas State University are ratified,  
12 confirmed, and validated. In those contracts and written  
13 obligations, including bonds, the board of regents of The Texas A&M  
14 University System is substituted for and stands and acts in the  
15 place of the board of regents of West Texas State University.

16 SECTION 7. EMPLOYEE INSURANCE AND OTHER BENEFITS. Any  
17 contract or other agreement with a provider of insurance or  
18 employee benefits that provides coverage for employees of West  
19 Texas State University is not void nor does it terminate on the  
20 effective date of this Act. Any such contract or agreement  
21 remains in full force and effect until its date of expiration  
22 unless it terminates before the expiration date in accordance with  
23 its terms. All persons for whom the insurance is provided on the  
24 effective date of this Act are covered by the insurance in  
25 accordance with the terms of those agreements until the respective  
26 dates of termination or expiration of those agreements. The

1 persons covered by the agreements who are employees of The Texas  
2 A&M University System on the respective termination or expiration  
3 dates of those agreements shall be included in any similar  
4 agreements that relate to other employees of The Texas A&M  
5 University System and are in effect on the termination or  
6 expiration dates.

7 SECTION 8. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES.

8 The transfer of governance, operation, management, and control of  
9 West Texas State University from the board of regents of West Texas  
10 State University to the board of regents of The Texas A&M  
11 University System does not affect:

12 (1) the credit hours earned by students at those  
13 institutions before the effective date of this Act; or

14 (2) the employment status on the effective date of  
15 this Act of the administrative, faculty, or support staff of West  
16 Texas State University.

17 SECTION 9. EFFECTIVE DATE. This Act takes effect November  
18 1, 1989. - 2-89

19 SECTION 10. EMERGENCY. The importance of this legislation  
20 and the crowded condition of the calendars in both houses create an  
21 emergency and an imperative public necessity that the  
22 constitutional rule requiring bills to be read on three several  
23 days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

July 13, 1989

TO: Honorable Wilhelmina Delco, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

In Re: Senate Bill No. 64,  
as engrossed  
First Called Session  
By: Bivins

FROM: Jim Oliver, Director

S.B. No. 64

*W.P. Hobby*  
\_\_\_\_\_  
President of the Senate

*Gil Lewis*  
\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 64 passed the Senate on July 11, 1989, by a viva-voce vote. \_\_\_\_\_

*Buty Ling*  
\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 64 passed the House on July 14, 1989, by a non-record vote. \_\_\_\_\_

*Betty Murray*  
\_\_\_\_\_  
Chief Clerk of the House

Approved:

8-2-89  
Date

*H.P. Clements*  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

2:00 p.m. O'CLOCK

AUG 1 1989

*George S. Bayard*  
\_\_\_\_\_  
Secretary of State