

HOUSE BILL 1057

By Brooks H

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 35; Title 49, Chapter 7, Part 5; Title 49, Chapter 7, Part 8; Title 55; Title 65 and Title 67, relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a)(12), is amended by deleting the subdivision and substituting the following:

(12) Board of trustees of the college savings trust fund program, created by § 49-7-804;

SECTION 2. Tennessee Code Annotated, Section 35-3-124, is amended by deleting the language "Tennessee Baccalaureate Education System Trust Act" and substituting the language "Tennessee College Savings Trust Act".

SECTION 3. Tennessee Code Annotated, Section 49-7-501, is amended by deleting subsection (c) and substituting the following language:

(c) There is created a board of trustees for the chairs of excellence endowment fund composed of the following seven (7) members:

- (1) The governor;
- (2) The state treasurer;
- (3) The comptroller of the treasury;
- (4) The secretary of state;
- (5) The commissioner of finance and administration;
- (6) The president of the University of Tennessee system; and
- (7)

(A) The president of one (1) of the following state universities:

- (i) Austin Peay State University;
- (ii) East Tennessee State University;
- (iii) Middle Tennessee State University;
- (iv) Tennessee State University;
- (v) Tennessee Technological University; or
- (vi) The University of Memphis.

(B) Each state university president listed in subdivisions (c)(7)(A)(i)-(vi) must serve a three-year term, in alphabetical order by state university, starting with the president of Austin Peay State University with a term beginning on July 1, 2017, and ending on June 30, 2020.

SECTION 4. Tennessee Code Annotated, Section 49-7-501, is further amended by adding the following language as a new subsection:

() The trustees shall each serve in an ex officio capacity and the state treasurer shall serve as chair of the board. Each trustee may designate a member of their respective staff to attend the board's meetings and to exercise the trustee's right to vote in the trustee's absence. The designations must be made in writing to the board chair.

SECTION 5. Tennessee Code Annotated, Section 49-7-801, is amended by deleting the language "Tennessee Baccalaureate Education System Trust Act" and substituting the language "Tennessee College Savings Trust Act".

SECTION 6. Tennessee Code Annotated, Section 49-7-802, is amended by deleting subdivision (3) and substituting the following:

(3) "Board" means the board of trustees of the college savings trust fund program described in this part;

SECTION 7. Tennessee Code Annotated, Section 49-7-802(11), is amended by deleting the language "baccalaureate education system trust fund program" and substituting the language "college savings trust fund program".

SECTION 8. Tennessee Code Annotated, Section 49-7-804, is amended by deleting subsections (a) and (b) and substituting the following:

(a) There is created a board of trustees of the program composed of the following nine (9) members:

- (1) The state treasurer;
- (2) The comptroller of the treasury;
- (3) The commissioner of finance and administration;
- (4) The secretary of state;
- (5) The chancellor of the state board of regents;
- (6) The president of the University of Tennessee system;
- (7) The executive director of the Tennessee higher education

commission;

(8) One (1) representative of the Tennessee Independent Colleges and Universities Association appointed by the state treasurer from a list of two (2) nominees submitted by the board of directors of the Tennessee Independent Colleges and Universities Association. The representative shall be appointed for a term of three (3) years; and

(9)

(A) The president of one (1) of the following state universities:

- (i) Austin Peay State University;
- (ii) East Tennessee State University;
- (iii) Middle Tennessee State University;
- (iv) Tennessee State University;
- (v) Tennessee Technological University; or
- (vi) The University of Memphis.

(B) Each state university president listed in subdivisions (a)(9)(A)(i)-(vi) must serve a three-year term, in alphabetical order by state university, starting with the president of Austin Peay State University with a term beginning on July 1, 2017, and ending on June 30, 2020.

(b) The trustees shall each serve in an ex officio capacity, and the state treasurer shall serve as chair of the board. Each trustee may designate members of their respective staffs to attend the board of trustee meetings and to exercise the trustee's right to vote in the trustee's absence. The designations must be made in writing to the board chair.

SECTION 9. Tennessee Code Annotated, Section 49-7-812(a), is amended by deleting the language "baccalaureate education system trust funds" and substituting the language "college savings trust funds".

SECTION 10. Tennessee Code Annotated, Section 55-4-125, is amended by deleting the language "baccalaureate education system trust fund program" wherever it appears and substituting the language "college savings trust fund program".

SECTION 11. Tennessee Code Annotated, Section 65-5-113(c), is amended by deleting the language "baccalaureate education system trust fund program" wherever it appears and substituting the language "college savings trust fund program".

SECTION 12. Tennessee Code Annotated, Section 67-2-123, is amended by deleting the language "baccalaureate education system trust fund program" wherever it appears and substituting the language "college savings trust fund program".

SECTION 13. Tennessee Code Annotated, Section 67-4-1711, is amended by deleting the language "baccalaureate education system trust fund program" wherever it appears and substituting the language "college savings trust fund program".

SECTION 14. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 15. This act shall take effect July 1, 2017, the public welfare requiring it.