



**Texas Higher Education
COORDINATING BOARD
Academic Excellence and Research
Planning and Accountability Division**

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Petition for Adoption of Rules

Petitioner(s):	Julie H. Schaar, Dallas TX Benjamin A. Jones, Austin TX
Date Petition Delivered to THECB:	February 27, 2007
Concerning THECB Rule:	17.20
Reviewed by THECB Staff:	Jeff D. Treichel Director of Finance and Resource Planning
60th Day Deadline for Decision:	April 28, 2007

Petitioner Summary:

The petitioners propose that the Texas Higher Education Coordinating Board (THECB) assume the responsibility for assuring that all institutions of higher education that come under the Boards' jurisdiction, comply retrospectively to the effective date, September 1, 1999, of the state statute in Texas Health & Safety Code, Chapter 425, Regulation of Certain Outdoor Lighting, as well as prospectively for all future construction, renovation, and replacement of outdoor lighting.

The language the petitioners request to be added to current THECB Rule 17.20, Criteria for Approval of Projects would be:

Item #13, "the institution shall verify that it will comply with Texas Health and Safety Code, Subtitle F, Light Pollution, Chapter 425, Regulation of Certain Outdoor Lighting. All outdoor lights that are installed, replaced, maintained, or operated using state funds since September 1, 1999 and forward must comply with this law."

The petitioners state the additional criterion in Rule 17.20 would assure that all institutions under the jurisdiction of the THECB shall verify that they will comply with the Texas Health and Safety Code for Light Pollution, which became effective September 1, 1999.

They also propose that the deferred maintenance criteria for all but new construction follow the 'intent' and 'spirit' of the law for all outdoor lighting whose design process began after its effective date of September 1, 1999.

