

## **BILL ANALYSIS**

S.B. 1230  
By: Wentworth  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 1230 allows the Texas State University System to charge each students at Southwest Texas State University a \$1 environmental service fee if a majority of the student body approve this measure in an election and sets forth provisions regarding the authority to increase that fee.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 54 , Education Code, by adding Section 54.5111, as follows:

Sec. 54.5111. ENVIRONMENTAL SERVICE FEE; SOUTHWEST TEXAS STATE UNIVERSITY. (a) Authorizes the board of regents of the Texas State University System to charge each student enrolled at Southwest Texas State University an environmental service fee in an initial amount not to exceed \$1 per semester of the regular term or term of the summer session. Prohibits the fee from being imposed unless approved by a majority vote of the students at the university voting in an election held for that purpose at the same time and using the same ballot as a student government election.

(b) Authorizes the board of regents, not more than once in an academic year, to increase the amount of the fee authorized by this section to cover increased operating costs of environmental services funded from revenue from the fee. Prohibits the board from increasing the amount of the fee unless the increase is approved by a majority vote of the students at the university voting in an election held for that purpose in which at least 1,000 student at the university cast ballots and that is held at the same time and using the same ballot as a student government election. Prohibits the total amount of the increased fee from exceeding certain amounts.

(c) Authorizes a fee imposed under this section to be used only to provide environmental improvements at the university through services suchas recycling, transportation, employment, product purchasing, matching funds for grants, planning and maintenance, and irrigation.

(d) Prohibits the university from using revenue from the fee imposed under this section to reduce or replace other money allocated by the university for environmental projects.

(e) Requires the university to retain any fee revenue that exceeds the amount necessary to cover current operating expenses for environmental services and any interest generated from that revenue. Authorizes the university to use the excess revenue and interest generated from that revenue only for the purposes provided by Subsection (c).

SECTION 2. Provides that this Act applies beginning with the 2003 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2003.

**EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.