

1-1 By: Oliveira (Senate Sponsor - Lucio) H.B. No. 1063  
1-2 (In the Senate - Received from the House April 11, 2005;  
1-3 April 12, 2005, read first time and referred to Subcommittee on  
1-4 Higher Education; May 16, 2005, reported favorably to Committee on  
1-5 Education; May 20, 2005, reported favorably from Committee on  
1-6 Education by the following vote: Yeas 6, Nays 0; May 20, 2005,  
1-7 sent to printer.)

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a fee to support the wellness, recreational, and  
1-11 fitness complex at The University of Texas at Brownsville.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter E, Chapter 54, Education Code, is  
1-14 amended by adding Section 54.550 to read as follows:

1-15 Sec. 54.550. WELLNESS, RECREATIONAL, AND FITNESS COMPLEX  
1-16 FEE; THE UNIVERSITY OF TEXAS AT BROWNSVILLE. (a) The board of  
1-17 regents of The University of Texas System may charge each student  
1-18 enrolled at The University of Texas at Brownsville a wellness,  
1-19 recreational, and fitness complex fee. The amount of the fee may  
1-20 not exceed \$79 per student for each regular semester and \$39.50 per  
1-21 student for each term of the summer session.

1-22 (b) The board may:

1-23 (1) use revenue from the fee only to finance,  
1-24 construct, operate, maintain, renovate, or improve a wellness,  
1-25 recreational, and fitness complex owned by Texas Southmost College  
1-26 and used by the partnership of The University of Texas at  
1-27 Brownsville and Texas Southmost College under Section 78.02; and

1-28 (2) pledge revenue from the fee to pay an obligation  
1-29 issued for a purpose authorized by Subdivision (1) under the  
1-30 revenue financing system of The University of Texas System.

1-31 (c) The board shall deposit revenue from the fee to the  
1-32 credit of an account known as The University of Texas at Brownsville  
1-33 wellness, recreational, and fitness complex fee account. Money in  
1-34 the account shall be used in accordance with the terms of the  
1-35 partnership agreements entered into between The University of Texas  
1-36 at Brownsville and Texas Southmost College under Section 78.02.

1-37 (d) The board may not increase the amount of the fee by more  
1-38 than 10 percent in any academic year unless the amount of the  
1-39 increase is approved by:

1-40 (1) a majority vote of the students participating in a  
1-41 general student election held at the institution for that purpose;  
1-42 and

1-43 (2) a majority of the members of the legislative body  
1-44 of the student government of the institution.

1-45 (e) A fee charged under this section is in addition to any  
1-46 other fee the board is authorized by law to charge.

1-47 (f) Subject to the limitations of this section on the amount  
1-48 of the fee and any increase in the amount of the fee, the fee charged  
1-49 under this section must be in the same amount as the wellness,  
1-50 recreational, and fitness complex fee charged a student at Texas  
1-51 Southmost College by the board of trustees of Southmost Union  
1-52 Junior College District. A student attending either or both  
1-53 institutions may be charged a wellness, recreational, and fitness  
1-54 complex fee by only one of the institutions.

1-55 (g) The board of trustees of the Southmost Union Junior  
1-56 College District may pledge revenue from a fee imposed under this  
1-57 section, whether received directly from a student or from The  
1-58 University of Texas at Brownsville, under terms of the partnership  
1-59 agreement between The University of Texas at Brownsville and Texas  
1-60 Southmost College, for the payment of obligations issued by the  
1-61 Southmost Union Junior College District to finance the  
1-62 construction, operation, maintenance, renovation, and improvement  
1-63 of a wellness, recreational, and fitness complex owned by Texas  
1-64 Southmost College and used by the two institutions under the

2-1 partnership. If the fee imposed under this section is pledged to  
2-2 the payment of obligations issued by Southmost Union Junior College  
2-3 District, the board of regents of The University of Texas System may  
2-4 not pledge revenue from the fee for the payment of obligations  
2-5 issued for an authorized purpose under the revenue financing system  
2-6 of The University of Texas System.

2-7 SECTION 2. This Act applies beginning with the 2005 fall  
2-8 semester.

2-9 SECTION 3. This Act takes effect immediately if it receives  
2-10 a vote of two-thirds of all the members elected to each house, as  
2-11 provided by Section 39, Article III, Texas Constitution. If this  
2-12 Act does not receive the vote necessary for immediate effect, this  
2-13 Act takes effect September 1, 2005.

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