

1-1 By: Hinojosa S.B. No. 527  
1-2 (In the Senate - Filed February 15, 2005; February 28, 2005,  
1-3 read first time and referred to Subcommittee on Higher Education;  
1-4 March 14, 2005, reported favorably to Committee on Education;  
1-5 March 29, 2005, reported favorably from Committee on Education by  
1-6 the following vote: Yeas 7, Nays 0; March 29, 2005, sent to  
1-7 printer.)

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

1-10 relating to authorizing a sports recreation and wellness facility  
1-11 fee at The University of Texas--Pan American.

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 54.5421 to read as follows:

1-15 Sec. 54.5421. SPORTS RECREATION AND WELLNESS FACILITY FEE;  
1-16 THE UNIVERSITY OF TEXAS--PAN AMERICAN. (a) The board of regents  
1-17 of The University of Texas System may charge each student enrolled  
1-18 at The University of Texas--Pan American a sports recreation and  
1-19 wellness facility fee to finance, construct, operate, maintain, or  
1-20 improve sports recreation and wellness programs and facilities at  
1-21 the university. The amount of the fee may not exceed \$75 for each  
1-22 semester of the regular term or for each summer session.

1-23 (b) The fee may not be imposed unless the fee is approved by  
1-24 a majority vote of those students voting in a general student  
1-25 election called for that purpose.

1-26 (c) The board may not increase the amount of the fee from one  
1-27 academic year to the next unless the amount of the increase is  
1-28 approved by a majority vote of those students voting in a general  
1-29 student election called for that purpose.

1-30 (d) The board shall deposit the revenue from the fee in an  
1-31 account known as The University of Texas--Pan American sports  
1-32 recreation and wellness facility account.

1-33 (e) The board may pledge revenue from the fee to pay  
1-34 obligations issued pursuant to the revenue financing system of The  
1-35 University of Texas System.

1-36 (f) A fee imposed under this section may not be considered  
1-37 in determining the maximum amount of student services fees that may  
1-38 be charged under Section 54.503.

1-39 (g) The board may permit a person who is not enrolled at The  
1-40 University of Texas--Pan American to use a facility financed with  
1-41 revenue from a fee imposed under this section if:

1-42 (1) the person's use of the facility will not  
1-43 materially interfere with student demand or use;

1-44 (2) the person is charged a fee that is not less than  
1-45 the student fee and that is not less than the direct and indirect  
1-46 cost to the university of providing for the person's use; and

1-47 (3) the person's use will not materially increase the  
1-48 potential liability of the university.

1-49 SECTION 2. This Act takes effect immediately if it receives  
1-50 a vote of two-thirds of all the members elected to each house, as  
1-51 provided by Section 39, Article III, Texas Constitution. If this  
1-52 Act does not receive the vote necessary for immediate effect, this  
1-53 Act takes effect on the 91st day after the last day of the  
1-54 legislative session.

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