

1-1 By: Estes S.B. No. 1138
1-2 (In the Senate - Filed March 8, 2005; March 21, 2005, read
1-3 first time and referred to Subcommittee on Higher Education;
1-4 April 4, 2005, reported adversely, with favorable Committee
1-5 Substitute to Committee on Education; April 18, 2005, reported
1-6 adversely, with favorable Committee Substitute from Committee on
1-7 Education by the following vote: Yeas 8, Nays 0; April 18, 2005,
1-8 sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 1138 By: Janek

1-10 A BILL TO BE ENTITLED
1-11 AN ACT

1-12 relating to a student recreational and health facilities fee at
1-13 Midwestern State University.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Subchapter E, Chapter 54, Education Code, is
1-16 amended by adding Section 54.5441 to read as follows:

1-17 Sec. 54.5441. STUDENT RECREATIONAL AND HEALTH FACILITIES
1-18 FEE; MIDWESTERN STATE UNIVERSITY. (a) The board of regents of
1-19 Midwestern State University may charge each student enrolled at the
1-20 university a recreational and health facilities fee not to exceed
1-21 \$130 per semester or summer session of longer than six weeks or \$65
1-22 per summer session of six weeks or less. The fee may be used to
1-23 finance, construct, operate, renovate, or maintain recreational
1-24 and wellness facilities and programs at the university.

1-25 (b) The recreational and health facilities fee authorized
1-26 by this section may not be increased more than 10 percent from one
1-27 academic year to the next unless the increase has been approved by a
1-28 majority vote of those students participating in a general student
1-29 election called for that purpose. The fee may not exceed the
1-30 amounts provided by Subsection (a).

1-31 (c) The chief fiscal officer of the university shall collect
1-32 any recreational and health facilities fee imposed under this
1-33 section and shall deposit the money collected in an account to be
1-34 known as the student recreational and health facilities account.

1-35 (d) A recreational and health facilities fee imposed under
1-36 this section is not counted in determining the maximum student
1-37 services fee that may be charged under Section 54.503.

1-38 SECTION 2. The change in law made by this Act applies only
1-39 to fees imposed for a semester or term that begins on or after the
1-40 effective date of this Act.

1-41 SECTION 3. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2005.

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