

Amend **SB 161** (House Committee Printing) in SECTION 1 of the bill as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 6), strike "adding Section 54.5381" and substitute "adding Sections 54.5381 and 54.5382".

(2) In the heading to added Section 54.5381, Education Code (page 1, line 7), immediately preceding "TEXAS STATE", insert "CERTAIN INSTITUTIONS IN".

(3) In added Subsection (a), Section 54.5381, Education Code (page 1, line 11), between "System" and "in", insert ", other than Texas State University--San Marcos,".

(4) Immediately following added Section 54.5381, Education Code (page 2, between lines 14 and 15), insert the following:

Sec. 54.5382. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE UNIVERSITY--SAN MARCOS. (a) The board of regents of the Texas State University System may impose an intercollegiate athletics fee on each student enrolled at Texas State University--San Marcos in an amount not to exceed:

(1) \$8.75 per semester credit hour for each regular semester; and

(2) \$4.50 per semester credit hour for each summer session.

(b) The fee may not be imposed unless approved by a majority vote of the students of the university who participate in a general student election held at the university for that purpose.

(c) A fee imposed under this section may be used to develop and maintain an intercollegiate athletics program at the university.

(d) Not more than once in an academic year, the board may increase the amount of the fee authorized by this section by not more than five percent if the increase is approved by the student government of the university. An increase of more than five percent must be approved by a majority vote of the students of the university who participate in a general student election called for that purpose.

(e) A fee imposed under this section is in addition to any other fee authorized by law and may not be considered in determining

the maximum amount of student services fees that may be imposed under Section 54.503.

(f) An intercollegiate athletics fee committee is established at the university to advise the board and the administration of the university regarding the expenditure of revenue generated by the fees imposed under this section. The committee is composed of the following members:

(1) three students of the university appointed by the student government of the university;

(2) two students of the university who participate in intercollegiate athletics appointed by the student athlete advisory committee;

(3) the university's athletic director; and

(4) the university's assistant athletic director for business affairs.

(g) A student member of the intercollegiate athletics fee committee serves a one-year term. A student member of the committee who withdraws from the university must resign from the committee. A vacancy in an appointive position on the committee shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(h) The intercollegiate athletics fee committee shall study the amounts of the fee imposed under this section and make recommendations to the appropriate administrators of the university regarding the expenditure of revenue generated by the fees imposed under this section.

(i) Before recommending the intercollegiate athletics fee budget to the board of regents each year, the president of the university shall consider the recommendations of the intercollegiate athletics fee committee. If the president's recommendations to the board are substantially different from the committee's recommendations, the president of the university shall notify the committee not later than the last date on which the committee may request an appearance at the meeting of the board of regents at which the intercollegiate athletics fee budget will be considered. On request of a member of the committee, the president shall provide the member with a written report of the president's

recommendations to the board.

(j) If the imposition of a mandatory intercollegiate athletics fee as described by this section was approved by a majority vote of the students of the university who participated in a general student election held on or after January 1, 2005, the board may impose the fee as prescribed by the results of the election without calling an additional election. This subsection expires January 1, 2008.