

## **BILL ANALYSIS**

H.B. 902  
By: Crownover  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

TWU Fitness and Recreation facilities are outdated, shared, and not intended for current student demand. TWU's student enrollment has grown to almost 12,000, an increase of over 40% in five years. Student participation in fitness and recreational programming has increased by as much as 542% and, as a result, facilities are busting at the seams.

HB 902 provides for a fitness and recreation fee that will be used to renovate, expand, build, and operate fitness and recreation facilities to accommodate the increasing demand.

### **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. This section amends Subchapter E, Chapter 54 of the Education Code by adding Section 54.5251. It allows for the creation of a student fitness and recreational fee. This added section sets forth parameters for what the fee may not exceed. Additionally the fee is limited to specific operational or improvement guidelines. The amount of the fee for a semester or summer session may not be increased by more than 10 percent from the amount of the fee for a similar semester or summer session of the preceding academic year unless the amount of the increase is approved by a majority vote of the students participating in a general student election held for that purpose.

The Chief Fiscal Officer of the university shall collect the fee and shall deposit the revenue from the fee in an account to be known as the student fitness and recreational account. The fee is not considered in determining the maximum amount of student services fees. The board may permit a person who is not enrolled at the university to use a facility financed by student fees only if the person's use will not materially interfere with the use of the facility by students, the person is charged a fee in an amount that is not less than the amount of the student fee, and the person's use will not materially increase the potential liability of the university.

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

SECTION 3: Effective date.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.