

## **BILL ANALYSIS**

C.S.H.B. 3114  
By: Swinford  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Multiple institutions within the Texas A&M University System are seeking modification of existing fee statutes and creation of new fee statutes. Instead of having numerous fee bills for individual institutions, C.S.H.B. 3114 addresses all A&M System institutions' fee issues for the 80<sup>th</sup> Legislative Session. In addition to modifying one existing fee statute, C.S.H.B. 3114 will create a new student fee advisory committee at each institution of the A&M System that will review all increases and uses of student service-related system-wide fees. Three new intercollegiate fees will be created at Texas A&M International, West Texas A&M, and Texas A&M University-Commerce; all three of these new fees will have to have a student vote referendum to enact the fee; the amount of the fees will not be increased to an amount that exceeds by ten percent or more the total amount of the fees as last approved by a majority vote of the student bodies at those respective institutions.

### **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: Section 54.5031 (a) of the Education Code is amended to add language regarding the institutions of the Texas A&M University System and a student fee advisory committee.

SECTION 2: Subchapter E, Chapter 54 of the Education Code is amended by adding Section 54.5032 relating to a student fee advisory committee within the Texas A&M University System. Establishes a student fee advisory committee at each component institution of the Texas A&M University System to advise the board of regents and the administration of the institution on the type, amount, and expenditure of compulsory fees for certain student services, student health and medical services, certain student center facilities, and certain recreational sports. Provides procedures relating to the structure of the committee membership including terms, selections, elections, appointments and vacancy.

The committee shall study the type, amount, and expenditure of certain compulsory fees, meet with appropriate administrators of the institution, submit a written report on the study and recommend the type, amount, and expenditure of the compulsory fees to be charged for the next academic year.

Before recommending the student fee budget to the board of regents each year, the president of the institution shall consider the report and recommendations of the committee. If the president's recommendations to the board of regents are substantially different from the committee's recommendations to the president, the president of the institution 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 student fee budget will be considered. On request of a member of the committee, the president of the institution shall provide the member with a written report of the president's recommendations to the board of regents.

SECTION 3: Section 54.539 of the Education Code is amended by adding additional language and eliminating language. Raises the current cap for a recreational sports fee from \$100 to \$175 for each regular semester and from \$50 to \$87.50 for each term of each summer session. The fee authorized may not be increased to an amount that exceeds by ten percent or more the total

amount of the fee that is in effect on September 1, 2007, or as last approved by a student vote under this subsection. Removes language relating to fee increases at Tarleton State University. If the total compulsory fee charged is proposed to be increased by an amount less than an amount that would require a student election in an academic year, the board of regents of The Texas A&M University System may, in lieu of an election, hold a public meeting on the increase at which students have the opportunity to comment before the increase takes effect. Removes language regarding certain restrictions on a recreational sports fee.

SECTION 4: Subchapter E, Chapter 54 of the Education Code is amended by adding additional language creating new student fees at Texas A&M International, West Texas A&M, and Texas A&M University-Commerce, creating certain terms and limits for these fees.

SECTION 5: The change in law made by this Act applies beginning with a fee imposed for the 2007 fall semester. A fee imposed for an academic period before the 2007 fall semester is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 6: Effective date.

### **EFFECTIVE DATE**

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

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The Substitute deletes SECTION 3 and SECTION 4 of the original bill related to the A&M System Group Hospital and Medical Service Fee.

The Substitute deletes SECTION 5 of the original bill related to the A&M System Student Center Facility Fee.

The substitute provides that the amount of a fee may not be increased to an amount that exceeds by ten percent or more the total amount of the fee as last approved by a majority vote of the student body, replacing original language that stated the fee may not be increased by more than 10 percent from one academic year to the next unless the increase had been approved by a majority vote of the students at the affected institution participating in a general election called for that purpose.

The Substitute makes other technical, non-substantive and conforming changes.