

BILL ANALYSIS

C.S.H.B. 3449
By: Rose
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas State University - San Marcos currently funds its athletic programs through a general students services fee. Transferring athletics income and expenditures currently supported by the student service fee to an intercollegiate athletics fee will increase transparency and openness in the athletics budgeting of the university.

In 2005, the Associated Student Government approved a resolution proposing an Intercollegiate Athletics Service Fee and then in 2006, a non-binding referendum regarding the creation of an athletics fee was put before the students and was endorsed by 81% of them.

As proposed, House Bill 3449 provides for an Intercollegiate Athletics Fee for Texas State University - San Marcos. C.S.H.B. 3449 establishes guidelines for increasing the fee and creates an intercollegiate athletics fee committee to make recommendations to the university administration regarding the expenditure of funds generated by the fee.

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: Subchapter E, Chapter 54 of the Education Code is amended by adding Section 54.5381. The bill authorizes the board of regents of the Texas State University System to impose an intercollegiate athletics fee on each student enrolled at Texas State University - San Marcos not to exceed \$8.75 per semester credit hour for each regular session or \$4.50 per semester credit hour for each summer session. The bill provides that the fee may not be imposed unless approved by a majority vote of the students participating in a general student election held for that purpose. The bill authorizes the fee to be used to develop and maintain an intercollegiate athletics program at the institution.

The bill authorizes the board of regents (board) to increase the amount of the fee no more than once in an academic year by no more than 5% if the increase is approved by the student government of the university. The bill further provides that an increase of more than 5% must be approved by a majority vote of the student body. Clarifies that an intercollegiate athletic fee may not be considered in determining the maximum amount of student service fees that may be imposed.

Establishes an intercollegiate athletics fee committee to advise the board and the university administration regarding the expenditure of revenue generated by the intercollegiate athletic fee and outlines the composition of the committee. The bill provides that a student member of the committee serves a one-year term; that a student member who withdraws from the university must resign from the committee; and requires that 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.

Requires the committee to study the amounts of the fee imposed and make recommendations to the university administration regarding the expenditure of those funds. Requires the president of the university to consider the recommendations of the committee before recommending the intercollegiate athletics fee budget to the board and provides that if the president's

recommendations are substantially different from the committee's, the president is required to notify the committee before the last date on which they may request an appearance at the board meeting at which the intercollegiate athletics fee budget is being discussed. The bill requires the president to provide a written report of the president's recommendations to member of the committee who requests it.

Authorizes the board to impose an intercollegiate athletics fee before January 1, 2008 if it has already been approved by a majority vote of the student body held on or after January 1, 2005.

SECTION 2: This act applies beginning with the Fall 2007 semester.

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.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill simply provides for the authorization of an intercollegiate athletics fee at Texas State University-San Marcos. The substitute establishes guidelines for increasing the fee and creates an intercollegiate athletics fee committee to make recommendations to the university administration regarding the expenditure of funds generated by the fee.