

## **BILL ANALYSIS**

Senate Research Center

S.B. 161  
By: Wentworth et al.  
Education  
6/7/2007  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas State University System seeks approval to implement an intercollegiate athletics fee at an initial rate not to exceed \$8.75 per semester credit hour in each long semester and \$4.50 per semester credit hour in each summer session. Subject to approval by a student referendum, the system seeks authorization to implement this fee beginning in the 2007 fall semester.

Currently, support for intercollegiate athletics is provided through the student services fee. Having a dedicated intercollegiate athletics fee would stabilize funding for intercollegiate athletics, making it more predictable and ensuring more reliable planning. A dedicated fee would also make student support of intercollegiate athletics more transparent.

S.B. 161 authorizes a dedicated intercollegiate athletics fee as a substitute for the student service fee support.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 54, Education Code, by adding Sections 54.5381 and 54.5382, as follows:

Sec. 54.5381. INTERCOLLEGIATE ATHLETICS FEE: CERTAIN INSTITUTIONS IN TEXAS STATE UNIVERSITY SYSTEM. (a) Authorizes the Texas State University board of regents (board) to impose on each enrolled student at a component institution of the Texas State University System, other than Texas State University--San Marcos (university), a certain intercollegiate athletics fee (fee).

(b) Prohibits the imposition of the fee unless a majority of students approve it in a general student election held for that purpose.

(c) Authorizes the collected fees to be used to develop and maintain an intercollegiate athletics program at the component institution.

(d) Prohibits the amount of the fee from being increased to an amount that exceeds by 10 percent or more the total amount of the fee as last approved by a student vote under Subsection (b) or this subsection unless the increase has been approved by a majority vote of the students who participate in a general student election called for that purpose.

(e) Prohibits this fee from affecting the amount of student services fees imposed under Section 54.503 (Student Services Fees).

(f) Authorizes the board to impose the fee if a majority of students vote to approve the fee in a general student election held on or after January 1, 2005. Provides that this subsection expires January 1, 2008.

Sec. 54.5382. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE UNIVERSITY--SAN MARCOS. (a) Authorizes the board to impose a certain fee on each student enrolled at the university.

(b) Prohibits the imposition of the fee unless a majority of students approve it in a general student election held for that purpose.

(c) Authorizes the collected fees to be used to develop and maintain an intercollegiate athletics program at the university.

(d) Authorizes the board, not more than once in an academic year, to 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. Requires an increase of more than five percent to be approved by a majority vote of the students who participate in a general student election.

(e) Prohibits this fee from affecting the amount of student services fees imposed under Section 54.503 (Student Services Fees).

(f) Establishes an intercollegiate athletics fee committee (committee) 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. Sets for the composition of the committee.

(g) Provides that a student member of the committee serves a one-year term. Requires a student member of the committee who withdraws from the university to resign from the committee. Requires a vacancy in an appointive position on the committee to be filled for the unexpired portion of the term in the same manner as the original appointment.

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

(j) Authorizes the board to impose the fee if a majority of students vote to approve the fee in a general student election held on or after January 1, 2005. Provides that this subsection expires January 1, 2008.

SECTION 2. Makes the application of this Act prospective to the 2007 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2007.