

BILL ANALYSIS

S.B. 1495
By: Zaffirini
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Most public institutions of higher education charge student fees to pay for various services, facilities, and student-related activities. Institutions must have statutory authorization to levy student fees. During past legislative sessions, multiple components within the Texas A&M University System (A&M System) have brought forth recommendations for new fee statutes as well as modifications for the existing A&M System fees.

As proposed, S.B. 1495 provides one omnibus student fee bill for The A&M System. This bill authorizes student fees for various A&M System component 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: Amends Section 54.5031(a) of the Education Code to provide that a student fee advisory committee (committee) is added to the one previously established at the University of Texas System and established at the institutions of The Texas A&M University System (A&M System).

SECTION 2: Amends Subchapter E, Chapter 54 of the Education Code, by adding Section 54.5032, relating to a student fee advisory committee at the A&M System. Establishes a committee at each component institution of the A&M System (institution) to advise the board of regents and the administration of the institution on the type, amount, and expenditure of compulsory fees for student services for student health and medical services, for student center facilities and for recreational sports. Sets forth the composition of each nine-member committee.

Requires the student government, if the institution has a student government, to appoint three students to serve two-year terms on the committee and two students to serve one-year terms on the committee. Requires the students enrolled at an institution that does not have a student government to elect three students to serve two-year terms on the committee and two students to serve one-year terms on the committee. Requires a candidate for a position on the committee to designate whether the position is for a one-year or two-year term.

Provides that this subsection expires September 1, 2009. Provides that, notwithstanding Subsection (c), a person serving on the committee under Section 54.5031 at an institution to which this section applies on the date this section takes effect is considered to be a member of the committee established at the institution under this section for the same term that the person is serving when this section takes effect, and provides that a person appointed, elected, or otherwise selected to serve on the committee under Section 54.5031 at an institution to which this section applies before the date this section takes effect for a term that was to begin on or after the date this section takes effect is considered to have been appointed, elected, or otherwise selected to serve on the committee established at the institution under this section for the same term.

Requires a student member of the committee who withdraws from the institution 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. Requires a vacancy in an elective position on the committee to be filled for the unexpired portion of the term by appointment by the president of the institution.

Requires the committee to study the type, amount, and expenditure of compulsory fees imposed under Sections 54.503, 54.507, 54.521, and 54.539, and requires the committee to meet with appropriate administrators of the institution, to submit a written report on the study and to recommend the type, amount, and expenditure of the compulsory fees to be charged for the next academic year.

Requires the president of the institution (president) to consider the report and recommendations of the committee before recommending the student fee budget to the board of regents each year. Requires the president of the institution, if the president's recommendations to the board of regents are substantially different from the committee's recommendations to the president, to notify the committee not later than the last date on which the committee is authorized to request an appearance at the meeting of the board of regents at which the student fee budget will be considered. Provides that 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 at a component institution of the A&M System, if approved by a student vote, from \$100 to \$175 for each regular semester and from \$50 to \$87.50 for each term of each summer session. Provides that 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. Provides that 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 A&M 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 intercollegiate athletics 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.