

AN ACT

relating to a student fitness and recreational fee at Texas Woman's University.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5251 to read as follows:

Sec. 54.5251. STUDENT FITNESS AND RECREATIONAL FEE; TEXAS WOMAN'S UNIVERSITY. (a) The board of regents of Texas Woman's University may charge each student enrolled at the university a student fitness and recreational fee in an amount not to exceed:

(1) \$125 for each regular semester or each summer session of more than six weeks; or

(2) \$62.50 for each summer session of six weeks or less.

(b) The fee may be used only for financing, constructing, operating, maintaining, or improving a fitness or recreational facility or for operating a fitness or recreational program at the university.

(c) The fee may not be imposed unless approved by a majority vote of the students of the university who participate in a general student election held for that purpose.

(d) The amount of the fee may not be 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 (c) or this

1 subsection unless the increase has been approved by a majority vote  
2 of the students enrolled at the university who participate in a  
3 general student election called for that purpose.

4 (e) The chief fiscal officer of the university shall collect  
5 the fee and shall deposit the revenue from the fee in an account to  
6 be known as the student fitness and recreational account.

7 (f) The fee is not considered in determining the maximum  
8 amount of student services fees that may be charged under Section  
9 54.503.

10 (g) The board may permit a person who is not enrolled at the  
11 university to use a facility financed with revenue from the fee  
12 imposed under this section only if:

13 (1) the person's use will not materially interfere  
14 with use of the facility by students of the university;

15 (2) the person is charged a fee in an amount that is  
16 not less than the amount of the student fee or the total amount of  
17 the direct and indirect costs to the university of providing for the  
18 person's use, except that a charge under this subdivision may not be  
19 imposed on a person who uses the facility under an existing lifetime  
20 contract with the university for the use of fitness and  
21 recreational facilities; and

22 (3) the person's use will not materially increase the  
23 potential liability of the university.

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

27 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 902 was passed by the House on April 13, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 902 on May 21, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 902 was passed by the Senate, with amendments, on May 17, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor