

By: Swinford

H.B. No. 3114

Substitute the following for H.B. No. 3114:

By: Rose

C.S.H.B. No. 3114

A BILL TO BE ENTITLED

AN ACT

1
2 relating to student fees at component institutions of The Texas A&M
3 University System.

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

5 SECTION 1. Section 54.5031(a), Education Code, is amended
6 to read as follows:

7 (a) A student fee advisory committee is established at each
8 institution of higher education except The University of Texas at
9 Austin and the institutions of The Texas A&M University System to
10 advise the governing board and administration of the institution on
11 the type, amount, and expenditure of compulsory fees for student
12 services under Section 54.503 of this code.

13 SECTION 2. Subchapter E, Chapter 54, Education Code, is
14 amended by adding Section 54.5032 to read as follows:

15 Sec. 54.5032. STUDENT FEE ADVISORY COMMITTEE; THE TEXAS A&M
16 UNIVERSITY SYSTEM. (a) A student fee advisory committee is
17 established at each component institution of The Texas A&M
18 University System to advise the board of regents and the
19 administration of the institution on the type, amount, and
20 expenditure of compulsory fees for student services under Section
21 54.503, for student health and medical services under Section
22 54.507, for student center facilities under Section 54.521, and for
23 recreational sports under Section 54.539.

24 (b) Each committee is composed of the following nine

1 members:

2 (1) five student members who are enrolled for not less
3 than six semester credit hours at the institution and who are
4 representative of all students enrolled at the institution,
5 selected under Subsection (c); and

6 (2) four members who are representative of the entire
7 institution, appointed by the president of the institution.

8 (c) If the institution has a student government, the student
9 government shall appoint three students to serve two-year terms on
10 the committee and two students to serve one-year terms on the
11 committee. If the institution does not have a student government,
12 the students enrolled at the institution shall elect three students
13 to serve two-year terms on the committee and two students to serve
14 one-year terms on the committee. A candidate for a position on the
15 committee must designate whether the position is for a one-year or
16 two-year term.

17 (c-1) This subsection expires September 1, 2009.

18 Notwithstanding Subsection (c):

19 (1) a person serving on the student fee advisory
20 committee under Section 54.5031 at an institution to which this
21 section applies on the date this section takes effect is considered
22 to be a member of the student fee advisory committee established at
23 the institution under this section for the same term that the person
24 is serving when this section takes effect; and

25 (2) a person appointed, elected, or otherwise selected
26 to serve on the student fee advisory committee under Section
27 54.5031 at an institution to which this section applies before the

1 date this section takes effect for a term that was to begin on or
2 after the date this section takes effect is considered to have been
3 appointed, elected, or otherwise selected to serve on the student
4 fee advisory committee established at the institution under this
5 section for the same term.

6 (d) A student member of the committee who withdraws from the
7 institution must resign from the committee.

8 (e) A vacancy in an appointive position on the committee
9 shall be filled for the unexpired portion of the term in the same
10 manner as the original appointment. A vacancy in an elective
11 position on the committee shall be filled for the unexpired portion
12 of the term by appointment by the president of the institution.

13 (f) The committee shall:

14 (1) study the type, amount, and expenditure of the
15 compulsory fees imposed under Sections 54.503, 54.507, 54.521, and
16 54.539; and

17 (2) meet with appropriate administrators of the
18 institution, submit a written report on the study under Subdivision
19 (1), and recommend the type, amount, and expenditure of the
20 compulsory fees to be charged for the next academic year.

21 (g) Before recommending the student fee budget to the board
22 of regents each year, the president of the institution shall
23 consider the report and recommendations of the committee. If the
24 president's recommendations to the board of regents are
25 substantially different from the committee's recommendations to
26 the president, the president of the institution shall notify the
27 committee not later than the last date on which the committee may

1 request an appearance at the meeting of the board of regents at
2 which the student fee budget will be considered. On request of a
3 member of the committee, the president of the institution shall
4 provide the member with a written report of the president's
5 recommendations to the board of regents.

6 SECTION 3. Sections 54.539(a), (c), (d), and (e), Education
7 Code, are amended to read as follows:

8 (a) If approved by student vote at an institution, the Board
9 of Regents of The Texas A&M University System may charge students at
10 a component institution of [~~such institutions within~~] The Texas A&M
11 University System a recreational sports fee not to exceed \$175 for
12 each regular [~~\$100 a~~] semester and not to exceed \$87.50 for each
13 term of each [~~or 12-week~~] summer session [~~or \$50 a six-week summer~~
14 ~~session~~]. The fee may be used only for financing, constructing,
15 operating, maintaining, and improving new and existing
16 recreational sports facilities and programs at the designated
17 institution [~~university~~].

18 (c) The amount of the fee authorized by this section may not
19 be increased to an amount that exceeds by 10 percent or more the
20 total amount of the fee that is in effect on September 1, 2007, or as
21 last approved by a student vote under this subsection [~~from one~~
22 ~~academic year to the next~~] unless the increase has been approved by
23 a majority vote of the students at the affected institution
24 participating in a general election called for that purpose[~~7~~
25 ~~except that at Tarleton State University the fee may be increased by~~
26 ~~not more than 10 percent from one academic year to the next without~~
27 ~~holding an election~~]. The fee may not exceed the maximum amounts

1 provided by Subsection (a).

2 (d) If, in an academic year, the total compulsory fee
3 charged under this section is proposed to be increased by an amount
4 less than an amount that would require a student election under
5 Subsection (c), the board of regents of The Texas A&M University
6 System may, in lieu of an election, hold a public meeting on the
7 increase at which students have the opportunity to comment before
8 the increase takes effect [~~A fee may not be imposed under this~~
9 ~~section until the semester in which a campus recreational sports~~
10 ~~facility will be available for use].~~

11 (e) Each university shall collect any student recreational
12 sports fee imposed under this section and shall deposit the money
13 collected in an account to be known as the student recreational
14 sports account. [~~A recreational sports fee may not be collected~~
15 ~~after the 20th anniversary of the date it is first collected or~~
16 ~~after all bonded indebtedness for any campus recreational sports~~
17 ~~facility for which the fee receipts are pledged is paid, whichever~~
18 ~~is later.]~~

19 SECTION 4. Subchapter E, Chapter 54, Education Code, is
20 amended by adding Sections 54.5395, 54.5396, and 54.5397 to read as
21 follows:

22 Sec. 54.5395. INTERCOLLEGIATE ATHLETICS FEES; TEXAS A&M
23 INTERNATIONAL UNIVERSITY. (a) The board of regents of The Texas
24 A&M University System may impose an intercollegiate athletics fee
25 on each student enrolled at Texas A&M International University. The
26 fee may not be imposed unless approved by a majority vote of the
27 students participating in a general student election held at the

1 university for that purpose.

2 (b) The amount of the fee may not exceed \$5 per semester
3 credit hour for each regular semester or summer session, unless the
4 amount is increased as provided by Subsection (c).

5 (c) The amount of the fee may not be increased to an amount
6 that exceeds by 10 percent or more the total amount of the fee as
7 last approved by a student vote under Subsection (a) or this
8 subsection unless the increase has been approved by a majority vote
9 of the students enrolled at the university who participate in a
10 general student election held for that purpose.

11 (d) A student enrolled in more than 15 semester credit hours
12 shall pay the fee in an amount equal to the amount imposed on a
13 student enrolled in 15 semester credit hours during the same
14 semester or session.

15 (e) A fee imposed under this section may be used to develop
16 and maintain an intercollegiate athletics program at the
17 university.

18 (f) A fee imposed under this section is in addition to any
19 other fee authorized by law and may not be considered in determining
20 the amount of student services fees that may be imposed under
21 Section 54.503.

22 Sec. 54.5396. INTERCOLLEGIATE ATHLETICS FEES; WEST TEXAS
23 A&M UNIVERSITY. (a) The board of regents of The Texas A&M
24 University System may impose an intercollegiate athletics fee on
25 each student enrolled at West Texas A&M University. The fee may not
26 be imposed unless approved by a majority vote of the students
27 participating in a general student election held at the university

1 for that purpose.

2 (b) The amount of the fee may not exceed \$10 per semester
3 credit hour for each regular semester or summer session, unless the
4 amount is increased as provided by Subsection (c).

5 (c) The amount of the fee may not be increased to an amount
6 that exceeds by 10 percent or more the total amount of the fee as
7 last approved by a student vote under Subsection (a) or this
8 subsection unless the increase has been approved by a majority vote
9 of the students enrolled at the university who participate in a
10 general student election held for that purpose.

11 (d) A student enrolled in more than 13 semester credit hours
12 shall pay the fee in an amount equal to the amount imposed on a
13 student enrolled in 13 semester credit hours during the same
14 semester or session.

15 (e) A fee imposed under this section may be used to develop
16 and maintain an intercollegiate athletics program at the
17 university.

18 (f) A fee imposed under this section is in addition to any
19 other fee authorized by law and may not be considered in determining
20 the amount of student services fees that may be imposed under
21 Section 54.503.

22 Sec. 54.5397. INTERCOLLEGIATE ATHLETICS FEES; TEXAS A&M
23 UNIVERSITY—COMMERCE. (a) The board of regents of The Texas A&M
24 University System may impose an intercollegiate athletics fee on
25 each student enrolled at Texas A&M University—Commerce. The fee
26 may not be imposed unless approved by a majority vote of the
27 students participating in a general student election held at the

1 university for that purpose.

2 (b) The amount of the fee may not exceed \$10 per semester
3 credit hour for each regular semester or summer session, unless the
4 amount is increased as provided by Subsection (c).

5 (c) The amount of the fee may not be increased to an amount
6 that exceeds by 10 percent or more the total amount of the fee as
7 last approved by a student vote under Subsection (a) or this
8 subsection unless the increase has been approved by a majority vote
9 of the students enrolled at the university who participate in a
10 general student election held for that purpose.

11 (d) A student enrolled in more than 13 semester credit hours
12 shall pay the fee in an amount equal to the amount imposed on a
13 student enrolled in 13 semester credit hours during the same
14 semester or session.

15 (e) A fee imposed under this section may be used to develop
16 and maintain an intercollegiate athletics program at the
17 university.

18 (f) A fee imposed under this section is in addition to any
19 other fee authorized by law and may not be considered in determining
20 the amount of student services fees that may be imposed under
21 Section 54.503.

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

1 SECTION 6. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.