

By: Swinford

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. The heading to Section 54.507, Education Code,
7 is amended to read as follows:

8 Sec. 54.507. STUDENT HEALTH [~~GROUP HOSPITAL~~] AND MEDICAL
9 SERVICES FEES; TEXAS A&M UNIVERSITY SYSTEM.

10 SECTION 4. Section 54.507, Education Code, is amended by
11 amending Subsections (a), (b), (c), and (f) and adding Subsection
12 (g) to read as follows:

13 (a) The Board of Regents of The Texas A&M University System
14 may levy and collect from each student at any component institution
15 [~~of higher education which is a part~~] of The Texas A&M University
16 System a compulsory student health [~~group hospital~~] and medical
17 services fee not to exceed \$125 [~~\$75~~] for each regular semester and
18 not to exceed \$62.50 [~~\$25~~] for each term of each summer session.
19 The compulsory student health [~~group hospital~~] and medical services
20 fee may not be levied unless the levy of the fee has been approved by
21 a majority vote of those students at the affected institution
22 participating in a general student election called for that
23 purpose.

24 (b) In addition to the fee authorized under Subsection (a)
25 [~~of this section~~], the Board of Regents of The Texas A&M University
26 System may levy and collect from each student registered at Prairie
27 View A&M University a supplemental student health [~~group hospital~~]

1 and medical services fee not to exceed \$30 for each regular semester
2 and not to exceed \$12.50 for each term of the summer session. The
3 supplemental student health [~~group hospital~~] and medical services
4 fee may not be levied unless the levy of the fee has been approved by
5 a majority vote of the students registered at Prairie View A&M
6 University participating in a general election called for that
7 purpose.

8 (c) A fee levied under this section at a component
9 institution of The Texas A&M University System may be used only to
10 provide health [~~hospital~~] or other medical services to students
11 registered at that component institution.

12 (f) An election under this section must also permit the
13 students to vote on whether health [~~hospital~~] and medical services
14 should be provided to students at the institution by the
15 institution or by a private entity. The vote by the students on the
16 responsibility for provision of health [~~hospital~~] and medical
17 services to students at the institution is not binding on the
18 institution.

19 (g) The president of each component institution of The Texas
20 A&M University System shall establish a formal process for
21 soliciting and receiving student comment on the construction and
22 operation of a facility or program financed by a fee charged under
23 this section.

24 SECTION 5. Section 54.521, Education Code, is amended by
25 amending Subsections (a) and (e) and adding Subsection (e-1) to
26 read as follows:

27 (a) The board of regents of The Texas A&M University System

1 may levy a regular, fixed student fee on each student enrolled in an
2 educational institution within The Texas A&M University System for
3 the purpose of acquiring, constructing, renovating, operating,
4 maintaining, improving, adding to, replacing, financing, and
5 equipping one or more student center facilities for the
6 institution. The board may set fees in amounts it considers just
7 and necessary but not to exceed \$175 [~~\$100~~] per student for each
8 semester for the long session and not to exceed \$87.50 [~~\$50~~] per
9 student for each term of the summer session, or any fractional part
10 of a session. The activities of a student center facility that may
11 be financed in whole or in part by the student center facility fee
12 are limited to those activities in which the entire student body is
13 eligible to participate. The financed activities may not be held
14 outside the territorial limits of any educational institution
15 within The Texas A&M University System.

16 (e) The fee authorized by this section may not be increased
17 by more than 10 percent from one academic year to the next unless
18 the increase has been approved by a majority vote of the students at
19 the affected institution participating in a general election called
20 for that purpose[, ~~except that at Tarleton State University the fee~~
21 ~~may be increased by not more than 10 percent from one academic year~~
22 ~~to the next without holding an election~~]. The fee may not exceed
23 the maximum amounts provided by Subsection (a).

24 (e-1) If, in an academic year, the total compulsory fee
25 charged under this section is proposed to be increased by an amount
26 less than 10 percent over that charged in the previous academic
27 year, the board of regents of The Texas A&M University System may,

1 in lieu of an election, hold a public meeting on the increase at
2 which students have the opportunity to comment before the increase
3 takes effect.

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

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

16 (c) The fee authorized by this section may not be increased
17 by more than 10 percent from one academic year to the next unless
18 the increase has been approved by a majority vote of the students at
19 the affected institution participating in a general election called
20 for that purpose[, ~~except that at Tarleton State University the fee~~
21 ~~may be increased by not more than 10 percent from one academic year~~
22 ~~to the next without holding an election~~]. The fee may not exceed
23 the maximum amounts provided by Subsection (a).

24 (d) If, in an academic year, the total compulsory fee
25 charged under this section is proposed to be increased by an amount
26 less than 10 percent over that charged in the previous academic
27 year, the board of regents of The Texas A&M University System may,

1 in lieu of an election, hold a public meeting on the increase at
2 which students have the opportunity to comment before the increase
3 takes effect [~~A fee may not be imposed under this section until the~~
4 ~~semester in which a campus recreational sports facility will be~~
5 ~~available for use~~].

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

14 SECTION 7. Subchapter E, Chapter 54, Education Code, is
15 amended by adding Sections 54.5395, 54.5396, and 54.5397 to read as
16 follows:

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

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

27 (c) The amount of the fee per semester credit hour may not be

1 increased from one academic year to the next unless the increase is
2 approved by a majority vote of the students participating in a
3 general student election held at the university for that purpose
4 or, if the amount of the increase does not exceed 10 percent, by a
5 majority vote of the legislative body of the student government of
6 the university.

7 (d) A student enrolled in more than 15 semester credit hours
8 shall pay the fee in an amount equal to the amount imposed on a
9 student enrolled in 15 semester credit hours during the same
10 semester or session.

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

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

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

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

1 (c) The amount of the fee per semester credit hour may not be
2 increased from one academic year to the next unless the increase is
3 approved by a majority vote of the students participating in a
4 general student election held at the university for that purpose
5 or, if the amount of the increase does not exceed 10 percent, by a
6 majority vote of the legislative body of the student government of
7 the university.

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

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

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

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

26 (b) The amount of the fee may not exceed \$10 per semester
27 credit hour for each regular semester or summer session, unless the

1 amount is increased as provided by Subsection (c).

2 (c) The amount of the fee per semester credit hour may not be
3 increased from one academic year to the next unless the increase is
4 approved by a majority vote of the students participating in a
5 general student election held at the university for that purpose
6 or, if the amount of the increase does not exceed 10 percent, by a
7 majority vote of the legislative body of the student government of
8 the university.

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

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

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

20 SECTION 8. The change in law made by this Act applies
21 beginning with a fee imposed for the 2007 fall semester. A fee
22 imposed for an academic period before the 2007 fall semester is
23 covered by the law in effect immediately before the effective date
24 of this Act, and the former law is continued in effect for that
25 purpose.

26 SECTION 9. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.