

By: Rose

H.B. No. 3449

Substitute the following for H.B. No. 3449:

By: Brown of Brazos

C.S.H.B. No. 3449

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of an intercollegiate athletics fee at Texas State University--San Marcos.

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

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5381 to read as follows:

Sec. 54.5381. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE UNIVERSITY--SAN MARCOS. (a) The board of regents of the Texas State University System may impose an intercollegiate athletics fee on each student enrolled at Texas State University--San Marcos in an amount not to exceed:

(1) \$8.75 per semester credit hour for each regular semester; and

(2) \$4.50 per semester credit hour for each summer session.

(b) 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 at the university for that purpose.

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

(d) Not more than once in an academic year, the board may increase the amount of the fee authorized by this section by not more than five percent if the increase is approved by the student

1 government of the university. An increase of more than five percent
2 must be approved by a majority vote of the students of the
3 university who participate in a general student election called for
4 that purpose.

5 (e) A fee imposed under this section is in addition to any
6 other fee authorized by law and may not be considered in determining
7 the maximum amount of student services fees that may be imposed
8 under Section 54.503.

9 (f) An intercollegiate athletics fee committee is
10 established at the university to advise the board and the
11 administration of the university regarding the expenditure of
12 revenue generated by the fees imposed under this section. The
13 committee is composed of the following members:

14 (1) three students of the university appointed by the
15 student government of the university;

16 (2) two students of the university who participate in
17 intercollegiate athletics appointed by the student athlete
18 advisory committee;

19 (3) the university's athletic director; and

20 (4) the university's assistant athletic director for
21 business affairs.

22 (g) A student member of the intercollegiate athletics fee
23 committee serves a one-year term. A student member of the committee
24 who withdraws from the university must resign from the committee. A
25 vacancy in an appointive position on the committee shall be filled
26 for the unexpired portion of the term in the same manner as the
27 original appointment.

1 (h) The intercollegiate athletics fee committee shall study
2 the amounts of the fee imposed under this section and make
3 recommendations to the appropriate administrators of the
4 university regarding the expenditure of revenue generated by the
5 fees imposed under this section.

6 (i) Before recommending the intercollegiate athletics fee
7 budget to the board of regents each year, the president of the
8 university shall consider the recommendations of the
9 intercollegiate athletics fee committee. If the president's
10 recommendations to the board are substantially different from the
11 committee's recommendations, the president of the university shall
12 notify the committee not later than the last date on which the
13 committee may request an appearance at the meeting of the board of
14 regents at which the intercollegiate athletics fee budget will be
15 considered. On request of a member of the committee, the president
16 shall provide the member with a written report of the president's
17 recommendations to the board.

18 (j) If the imposition of a mandatory intercollegiate
19 athletics fee as described by this section was approved by a
20 majority vote of the students of the university who participated in
21 a general student election held on or after January 1, 2005, the
22 board may impose the fee as prescribed by the results of the
23 election without calling an additional election. This subsection
24 expires January 1, 2008.

25 SECTION 2. This Act applies beginning with the 2007 fall
26 semester.

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

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.