

1-1 By: Rose (Senate Sponsor - Wentworth) H.B. No. 3449
1-2 (In the Senate - Received from the House May 3, 2007;
1-3 May 7, 2007, read first time and referred to Subcommittee on Higher
1-4 Education; May 21, 2007, reported favorably, as amended, from
1-5 Committee on Education by the following vote: Yeas 8, Nays 0;
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Patrick

1-8 Amend H.B. No. 3449 (House Engrossment Version) in SECTION 1
1-9 of the bill, by striking added Subsection (d), Section 54.5381,
1-10 Education Code (page 1, line 46, through page 1, line 52), and
1-11 substituting the following:

1-12 (d) Not more than once in an academic year, the board may
1-13 increase the amount of the fee authorized by this section. An
1-14 increase of more than five percent must be approved by a majority
1-15 vote of the students of the university who participate in a general
1-16 student election called for that purpose. An increase of five
1-17 percent or less must be approved by the student government of the
1-18 university, except that if the increase would result in an amount of
1-19 a fee that exceeds by 10 percent or more the total amount of the fee
1-20 as last approved by a student vote under Subsection (b) or this
1-21 subsection, the increase must be approved by a majority vote of the
1-22 students of the university who participate in a general student
1-23 election called for that purpose.

1-24 A BILL TO BE ENTITLED
1-25 AN ACT

1-26 relating to the imposition of an intercollegiate athletics fee at
1-27 Texas State University--San Marcos.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. Subchapter E, Chapter 54, Education Code, is
1-30 amended by adding Section 54.5381 to read as follows:

1-31 Sec. 54.5381. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE
1-32 UNIVERSITY--SAN MARCOS. (a) The board of regents of the Texas
1-33 State University System may impose an intercollegiate athletics fee
1-34 on each student enrolled at Texas State University--San Marcos in
1-35 an amount not to exceed:

1-36 (1) \$8.75 per semester credit hour for each regular
1-37 semester; and

1-38 (2) \$4.50 per semester credit hour for each summer
1-39 session.

1-40 (b) The fee may not be imposed unless approved by a majority
1-41 vote of the students of the university who participate in a general
1-42 student election held at the university for that purpose.

1-43 (c) A fee imposed under this section may be used to develop
1-44 and maintain an intercollegiate athletics program at the
1-45 university.

1-46 (d) Not more than once in an academic year, the board may
1-47 increase the amount of the fee authorized by this section by not
1-48 more than five percent if the increase is approved by the student
1-49 government of the university. An increase of more than five percent
1-50 must be approved by a majority vote of the students of the
1-51 university who participate in a general student election called for
1-52 that purpose.

1-53 (e) A fee imposed under this section is in addition to any
1-54 other fee authorized by law and may not be considered in determining
1-55 the maximum amount of student services fees that may be imposed
1-56 under Section 54.503.

1-57 (f) An intercollegiate athletics fee committee is
1-58 established at the university to advise the board and the
1-59 administration of the university regarding the expenditure of
1-60 revenue generated by the fees imposed under this section. The
1-61 committee is composed of the following members:

1-62 (1) three students of the university appointed by the

2-1 student government of the university;
2-2 (2) two students of the university who participate in
2-3 intercollegiate athletics appointed by the student athlete
2-4 advisory committee;

2-5 (3) the university's athletic director; and
2-6 (4) the university's assistant athletic director for
2-7 business affairs.

2-8 (g) A student member of the intercollegiate athletics fee
2-9 committee serves a one-year term. A student member of the committee
2-10 who withdraws from the university must resign from the committee. A
2-11 vacancy in an appointive position on the committee shall be filled
2-12 for the unexpired portion of the term in the same manner as the
2-13 original appointment.

2-14 (h) The intercollegiate athletics fee committee shall study
2-15 the amounts of the fee imposed under this section and make
2-16 recommendations to the appropriate administrators of the
2-17 university regarding the expenditure of revenue generated by the
2-18 fees imposed under this section.

2-19 (i) Before recommending the intercollegiate athletics fee
2-20 budget to the board of regents each year, the president of the
2-21 university shall consider the recommendations of the
2-22 intercollegiate athletics fee committee. If the president's
2-23 recommendations to the board are substantially different from the
2-24 committee's recommendations, the president of the university shall
2-25 notify the committee not later than the last date on which the
2-26 committee may request an appearance at the meeting of the board of
2-27 regents at which the intercollegiate athletics fee budget will be
2-28 considered. On request of a member of the committee, the president
2-29 shall provide the member with a written report of the president's
2-30 recommendations to the board.

2-31 (j) If the imposition of a mandatory intercollegiate
2-32 athletics fee as described by this section was approved by a
2-33 majority vote of the students of the university who participated in
2-34 a general student election held on or after January 1, 2005, the
2-35 board may impose the fee as prescribed by the results of the
2-36 election without calling an additional election. This subsection
2-37 expires January 1, 2008.

2-38 SECTION 2. This Act applies beginning with the 2007 fall
2-39 semester.

2-40 SECTION 3. This Act takes effect immediately if it receives
2-41 a vote of two-thirds of all the members elected to each house, as
2-42 provided by Section 39, Article III, Texas Constitution. If this
2-43 Act does not receive the vote necessary for immediate effect, this
2-44 Act takes effect September 1, 2007.

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