

AN ACT

relating to intercollegiate athletics fees at institutions within the Texas State University System.

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

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Sections 54.5381 and 54.5382 to read as follows:

Sec. 54.5381. INTERCOLLEGIATE ATHLETICS FEE: CERTAIN INSTITUTIONS IN TEXAS STATE UNIVERSITY SYSTEM. (a) The board of regents of the Texas State University System may impose an intercollegiate athletics fee on each student enrolled at a component institution of the Texas State University System, other than 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 applicable component institution who participate in a general student election held for that purpose.

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

(d) The amount of the fee may not be increased to an amount

1 that exceeds by 10 percent or more the total amount of the fee as  
2 last approved by a student vote under Subsection (b) or this  
3 subsection unless the increase has been approved by a majority vote  
4 of the students enrolled at the component institution who  
5 participate in a general student election called for that purpose.

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

10 (f) If the imposition of a mandatory intercollegiate  
11 athletics fee as described by this section was approved by a  
12 majority vote of the students of the component institution who  
13 participated in a general student election held on or after January  
14 1, 2005, the board of regents may impose the fee as prescribed by  
15 the results of the election without calling an additional election.  
16 This subsection expires January 1, 2008.

17 Sec. 54.5382. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE  
18 UNIVERSITY--SAN MARCOS. (a) The board of regents of the Texas  
19 State University System may impose an intercollegiate athletics fee  
20 on each student enrolled at Texas State University--San Marcos in  
21 an amount not to exceed:

22 (1) \$8.75 per semester credit hour for each regular  
23 semester; and

24 (2) \$4.50 per semester credit hour for each summer  
25 session.

26 (b) The fee may not be imposed unless approved by a majority  
27 vote of the students of the university who participate in a general

1 student election held at the university for that purpose.

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

5 (d) Not more than once in an academic year, the board of  
6 regents may increase the amount of the fee authorized by this  
7 section by not more than five percent if the increase is approved by  
8 the student government of the university. An increase of more than  
9 five percent must be approved by a majority vote of the students of  
10 the university who participate in a general student election called  
11 for that purpose.

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

16 (f) An intercollegiate athletics fee committee is  
17 established at the university to advise the board of regents and the  
18 administration of the university regarding the expenditure of  
19 revenue generated by the fees imposed under this section. The  
20 committee is composed of the following members:

21 (1) three students of the university appointed by the  
22 student government of the university;

23 (2) two students of the university who participate in  
24 intercollegiate athletics appointed by the student athlete  
25 advisory committee;

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

27 (4) the university's assistant athletic director for

1 business affairs.

2 (g) A student member of the intercollegiate athletics fee  
3 committee serves a one-year term. A student member of the committee  
4 who withdraws from the university must resign from the committee. A  
5 vacancy in an appointive position on the committee shall be filled  
6 for the unexpired portion of the term in the same manner as the  
7 original appointment.

8 (h) The intercollegiate athletics fee committee shall study  
9 the amounts of the fee imposed under this section and make  
10 recommendations to the appropriate administrators of the  
11 university regarding the expenditure of revenue generated by the  
12 fees imposed under this section.

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

25 (j) If the imposition of a mandatory intercollegiate  
26 athletics fee as described by this section was approved by a  
27 majority vote of the students of the university who participated in

1 a general student election held on or after January 1, 2005, the  
2 board of regents may impose the fee as prescribed by the results of  
3 the election without calling an additional election. This  
4 subsection expires January 1, 2008.

5 SECTION 2. This Act applies beginning with the 2007 fall  
6 semester.

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

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President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 161 passed the Senate on April 18, 2007, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 2007, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 161 passed the House, with amendment, on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor