

1-1 By: Estes S.B. No. 273  
1-2 (In the Senate - Filed January 23, 2007; January 30, 2007,  
1-3 read first time and referred to Subcommittee on Higher Education;  
1-4 April 3, 2007, reported adversely, with favorable Committee  
1-5 Substitute from Committee on Education by the following vote:  
1-6 Yeas 8, Nays 0; April 3, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 273 By: Zaffirini

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a student fitness and recreational fee at Texas Woman's  
1-11 University.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter E, Chapter 54, Education Code, is  
1-14 amended by adding Section 54.5251 to read as follows:

1-15 Sec. 54.5251. STUDENT FITNESS AND RECREATIONAL FEE; TEXAS  
1-16 WOMAN'S UNIVERSITY. (a) The board of regents of Texas Woman's  
1-17 University may charge each student enrolled at the university a  
1-18 student fitness and recreational fee in an amount not to exceed:

1-19 (1) \$125 for each regular semester or each summer  
1-20 session of more than six weeks; or

1-21 (2) \$62.50 for each summer session of six weeks or  
1-22 less.

1-23 (b) The fee may be used only for financing, constructing,  
1-24 operating, maintaining, or improving a fitness or recreational  
1-25 facility or for operating a fitness or recreational program at the  
1-26 university.

1-27 (c) The amount of the fee approved by a student vote may not  
1-28 be increased by more than 10 percent unless the increase has been  
1-29 approved by a majority vote of the students enrolled at the  
1-30 university who participate in a general student election called for  
1-31 that purpose.

1-32 (d) The chief fiscal officer of the university shall collect  
1-33 the fee and shall deposit the revenue from the fee in an account to  
1-34 be known as the student fitness and recreational account.

1-35 (e) The fee is not considered in determining the maximum  
1-36 amount of student services fees that may be charged under Section  
1-37 54.503.

1-38 (f) The board of regents may permit a person who is not  
1-39 enrolled at the university to use a facility financed with revenue  
1-40 from the fee imposed under this section only if:

1-41 (1) the person's use will not materially interfere  
1-42 with use of the facility by students of the university;

1-43 (2) the person is charged a fee in an amount that is  
1-44 not less than the amount of the student fee or the total amount of  
1-45 the direct and indirect costs to the university of providing for the  
1-46 person's use, except that a charge under this subdivision may not be  
1-47 imposed on a person who uses the facility under an existing lifetime  
1-48 contract with the university for the use of fitness and  
1-49 recreational facilities; and

1-50 (3) the person's use will not materially increase the  
1-51 potential liability of the university.

1-52 SECTION 2. The change in law made by this Act applies only  
1-53 to fees imposed for a semester or term that begins on or after the  
1-54 effective date of this Act.

1-55 SECTION 3. This Act takes effect immediately if it receives  
1-56 a vote of two-thirds of all the members elected to each house, as  
1-57 provided by Section 39, Article III, Texas Constitution. If this  
1-58 Act does not receive the vote necessary for immediate effect, this  
1-59 Act takes effect September 1, 2007.

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