

SENATE AMENDMENTS

2nd Printing

By: Crownover

H.B. No. 902

A BILL TO BE ENTITLED

AN ACT

relating to a student fitness and recreational fee at Texas Woman's University.

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

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

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

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

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

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

(c) The amount of the fee may not be increased by more than 10 percent from one academic year to the next unless the increase has been approved by a majority vote of the students enrolled at the university who participate in a general student election called for that purpose.

(d) The chief fiscal officer of the university shall collect

1 the fee and shall deposit the revenue from the fee in an account to
2 be known as the student fitness and recreational account.

3 (e) The fee is not considered in determining the maximum
4 amount of student services fees that may be charged under Section
5 54.503.

6 (f) The board may permit a person who is not enrolled at the
7 university to use a facility financed with revenue from the fee
8 imposed under this section only if:

9 (1) the person's use will not materially interfere
10 with use of the facility by students of the university;

11 (2) the person is charged a fee in an amount that is
12 not less than the amount of the student fee or the total amount of
13 the direct and indirect costs to the university of providing for the
14 person's use, except that a charge under this subdivision may not be
15 imposed on a person who uses the facility under an existing lifetime
16 contract with the university for the use of fitness and
17 recreational facilities; and

18 (3) the person's use will not materially increase the
19 potential liability of the university.

20 SECTION 2. The change in law made by this Act applies only
21 to fees imposed for a semester or term that begins on or after the
22 effective date of this Act.

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

ADOPTED

MAY 17 2007

Lacey Spaw
Secretary of the Senate
H.B. No. 902

By: Estes

Substitute the following for H.B. No. 902.

By: [Signature]

C.S. H.B. No. 102

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

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

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

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

(c) 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 for that purpose.

(d) The amount of the fee may not be increased to an amount that exceeds by 10 percent or more the total amount of the fee as last approved by a student vote under Subsection (c) or this

1 subsection unless the increase has been approved by a majority vote
2 of the students enrolled at the university who participate in a
3 general student election called for that purpose.

4 (e) The chief fiscal officer of the university shall collect
5 the fee and shall deposit the revenue from the fee in an account to
6 be known as the student fitness and recreational account.

7 (f) The fee is not considered in determining the maximum
8 amount of student services fees that may be charged under Section
9 54.503.

10 (g) The board may permit a person who is not enrolled at the
11 university to use a facility financed with revenue from the fee
12 imposed under this section only if:

13 (1) the person's use will not materially interfere
14 with use of the facility by students of the university;

15 (2) the person is charged a fee in an amount that is
16 not less than the amount of the student fee or the total amount of
17 the direct and indirect costs to the university of providing for the
18 person's use, except that a charge under this subdivision may not be
19 imposed on a person who uses the facility under an existing lifetime
20 contract with the university for the use of fitness and
21 recreational facilities; and

22 (3) the person's use will not materially increase the
23 potential liability of the university.

24 SECTION 2. The change in law made by this Act applies only
25 to fees imposed for a semester or term that begins on or after the
26 effective date of this Act.

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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.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 7, 2007

TO: Honorable Judith Zaffirini, Chair, Senate Committee on S/C on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB902 by Crowover (Relating to a student fitness and recreational fee at Texas Woman's University.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Under provisions of the bill, Texas Woman's University may impose a student fitness and recreational fee in an amount not to exceed \$125 for each regular semester or each summer session of more than six weeks or \$62.50 for each summer session or six weeks or less. The fee could not be imposed unless approved by a majority vote of the students. The fee would be used for financing, constructing, operating, maintaining and improving a fitness and recreation program at the university. The university predicts that the fee will generate approximately \$2.1 million per year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 731 Texas Woman's University

LBB Staff: JOB, MN, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 29, 2007

TO: Honorable Judith Zaffirini, Chair, Senate Committee on S/C on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB902 by Crossover (Relating to a student fitness and recreational fee at Texas Woman's University.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Local Government Impact

Under provisions of the bill, Texas Woman's University may impose a student fitness and recreational fee in an amount not to exceed \$125 for each regular semester or each summer session of more than six weeks or \$62.50 for each summer session or six weeks or less. The fee would be used for financing, constructing, operating, maintaining and improving a fitness and recreation program at the university. The university predicts that the fee will generate approximately \$2.1 million per year.

Source Agencies: 731 Texas Woman's University

LBB Staff: JOB, MN, RT, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 4, 2007

TO: Honorable Geanie Morrison, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB902** by Crossover (Relating to a student fitness and recreational fee at Texas Woman's University.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

Under provisions of the bill, Texas Woman's University may impose a student fitness and recreational fee in an amount not to exceed \$125 for each regular semester or each summer session of more than six weeks or \$62.50 for each summer session of six weeks or less. The fee would be used for financing, constructing, operating, maintaining and improving a fitness and recreation program at the university. The university predicts that the fee will generate approximately \$2.1 million per year.

Source Agencies: 731 Texas Woman's University

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