

## **BILL ANALYSIS**

C.S.H.B. 603  
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Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Approximately, 75 percent of Midwestern State University students voting at an election approved an intercollegiate athletics fee. Legislative approval of the fee would provide both funding to address Title IX gender equity issues and facility upgrades and supplement funding in the academic support center for advising and tutoring services. Additionally, approximately \$500,000 of student service fee dollars now being used to support athletics each year would be released and used to support a growing need of student services.

C.S.H.B. 603 authorizes the board of regents of Midwestern State University to charge each student an intercollegiate athletics fee.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 603 amends the Education Code to authorize the board of regents of Midwestern State University to charge each student an intercollegiate athletics fee in an amount that may not exceed the lesser of \$10 per semester credit hour or \$120 for each regular semester or each summer session of more than six weeks, or \$60 for each summer session of six weeks or less. The bill prohibits the fee from being charged unless approved by a majority vote of the students enrolled at the university who participate in a general student election held for that purpose. The bill requires the fee to be used only to develop and maintain an intercollegiate athletics program at the university. The bill authorizes the board to increase the amount of the fee for a semester or summer session in excess of the cap provided above if the increase is approved by a majority vote of the students enrolled at the university who participate in a general student election called for that purpose or if the increase does not exceed 10 percent of the amount of the fee charged for the same semester or summer session in the preceding academic year.

C.S.H.B. 603 requires the university's chief fiscal officer to collect the fee and to deposit the revenue in an account to be known as the Midwestern State University intercollegiate athletics fee account. The bill specifies that the fee is not considered in determining the maximum amount of student services fees that may be charged. The bill prohibits the fee from being charged after the fifth academic year in which the fee is first charged unless, before the end of that academic year, the university has issued bonds payable in whole or in part from the fee, in which event the fee may not be charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 603 adds a provision not in the original prohibiting the intercollegiate athletics fee from being charged unless approved by a majority vote of students voting on the issue.

C.S.H.B. 603 differs from the original by authorizing the Midwestern State University board of regents to increase the amount of the fee beyond the cap established in the bill if the increase is approved by a majority vote of the university's students voting in an election called for that purpose or if the fee does not exceed 10 percent of the amount of the fee charged for the same semester or summer session in the preceding academic year, whereas the original requires student approval of a year-to-year increase of more than 10 percent and does not provide any authorization to exceed the cap.

C.S.H.B. 603 adds provisions not in the original prohibiting the fee from being charged after the fifth academic year in which the fee is first charged unless, before the end of that academic year, the university has issued bonds payable from the fee, in which event the fee may not be charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid.