

## **BILL ANALYSIS**

C.S.H.B. 4501  
By: Coleman  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, Texas Southern University students must vote to raise fees for certain services. Any new fees must be created by the legislature.

In an effort to generate needed revenue to support the athletics program, revenue-generating sports such as basketball and football have increased game guarantees, and corporate sponsorships have been increased. Recently, the students at Texas Southern University have voted to approve a new athletic fee specifically for the enhancement of the athletic program.

C.S.H.B. 4501 authorizes the Texas Southern University board of regents to impose a student-approved intercollegiate athletic fee of up to \$10 per semester credit hour on each student, with a cap at 15 semester credit hours, for each term of enrollment.

### **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. 4501 amends the Education Code to authorize the Texas Southern University board of regents to impose an intercollegiate athletics fee on each student enrolled at Texas Southern University in an amount not to exceed \$10 per semester credit hour. The bill prohibits the fee imposed on a student in a semester or session from exceeding the amount of the fee imposed on a student enrolled in 15 semester credit hours during the same semester or session. The bill prohibits the fee from being imposed unless approved by a majority vote of the students of the university participating in a general student election held for that purpose. The bill authorizes the amount of the fee per semester credit hour to be increased from one academic year to the next only if approved by a majority vote of the students of the university participating in a general student election held for that purpose. The bill authorizes the fee to be used to develop and maintain an intercollegiate athletics program at the university. The bill sets forth that the fee is in addition to any other fee authorized by law and prohibits the fee from being considered in determining the maximum amount of student services fees that may be imposed under state law. 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. The bill makes its provisions applicable beginning with the 2009 fall semester.

### **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. 4501 differs from the original by adding a new section to the Education Code authorizing the Texas Southern University board of regents to impose an intercollegiate athletics fee of an amount not to exceed \$10 per semester credit hour on each student enrolled at Texas Southern University, whereas the original amends an unspecified code to specify that the board of regents may impose a fee of \$10 per semester credit hour. The substitute differs from the original by establishing that the maximum fee that may be imposed on a student in a semester or session is the amount of the fee imposed on a student enrolled in 15 semester credit hours during the same semester or session, whereas the original sets the fee amount limit as that imposed on a student enrolled in 12 semester hours. The substitute adds provisions not in the original setting forth requirements relating to the general student election to approve the imposition and the increase in the amount of the fee. The substitute adds provisions not in the original prohibiting the fee from being considered in determining the maximum amount of student service fees that may be imposed and establishing a maximum time limit for the fee. The substitute differs from the original by making its provisions applicable beginning with the 2009 fall semester, whereas the original makes its provisions applicable beginning with student fees charged by a public institution of higher education for the 2009-2010 academic year.