

## **BILL ANALYSIS**

S.B. 473  
By: Estes  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the University of North Texas (UNT) football team plays at Fouts Field, which holds 20,000 spectators, while UNT has more than 30,000 students. Additionally, Fouts Field is 56 years old and not up to date on disability accommodations and National Collegiate Athletic Association lighting regulations.

In October 2008, UNT students approved a campus ballot measure with 58 percent voting in favor of initiating an intercollegiate athletics fee not to exceed \$10 per semester credit hour and capped at \$150 per semester. This fee will not be collected until the new football stadium is constructed and available for use by the student body.

Under state law, no state funds may be used for athletics facilities construction, and student fee contributions may cover only 50 percent of the total, which requires the other 50 percent to come from private donors.

S.B. 473 authorizes the University of North Texas System board of regents to impose an intercollegiate athletics fee on each student enrolled at the University of North Texas in an amount not to exceed \$10 per semester credit hour, capped at 15 hours, to finance, construct, operate, maintain, or improve an athletic facility or the operation of an intercollegiate athletics program at the university.

### **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**

S.B. 473 amends the Education Code to authorize the board of regents of the University of North Texas System to charge each student enrolled at the University of North Texas an intercollegiate athletics fee in an amount not to exceed \$10 per semester credit hour for each semester or summer session. The bill caps the fee for a student enrolled in more than 15 semester credit hours at an amount equal to the amount imposed on a student enrolled in 15 semester credit hours during the same semester or session. The bill prohibits the fee from being charged before the first semester a new football stadium is available for use at the university. The bill requires the total amount of compulsory student services fees, if those fees are charged to a student enrolled at the university, to be reduced by \$3 per semester credit hour for the first semester in which an intercollegiate athletics fee is charged under these provisions.

S.B. 473 restricts the use of revenue from the intercollegiate athletics fee to financing, constructing, operating, maintaining, or improving an athletic facility or the operation of an intercollegiate athletics program at the university. 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 ballot for the election to

approve the fee to state a maximum amount of the fee that may be charged per semester credit hour, not to exceed the maximum amount of \$10 per semester credit hour for each semester or summer session. The bill prohibits any increase in the amount of the fee that exceeds by 10 percent or more the amount of the fee as last approved by a student vote for that purpose unless the increase has been approved by a majority vote of the students participating in a general student election held for that purpose. The bill requires the university's chief fiscal officer to collect the fee and to deposit the revenue from the fee in an account to be known as the intercollegiate athletics fee account. The bill prohibits a fee charged under these provisions from being considered in determining the maximum amount of student services fees that may be charged each student enrolled at the university.

S.B. 473 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 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.