

1-1 By: Estes S.B. No. 256
1-2 (In the Senate - Filed November 10, 2008; February 11, 2009,
1-3 read first time and referred to Committee on Higher Education;
1-4 April 20, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 20, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 256 By: Patrick

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

1-10 relating to an intercollegiate athletics fee at Midwestern State
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 54.5442 to read as follows:

1-15 Sec. 54.5442. INTERCOLLEGIATE ATHLETICS FEE; MIDWESTERN
1-16 STATE UNIVERSITY. (a) The board of regents of Midwestern State
1-17 University may charge each student enrolled at the university an
1-18 intercollegiate athletics fee in an amount that, except as
1-19 authorized under Subsection (d), may not exceed:

1-20 (1) the lesser of \$10 per semester credit hour or \$120
1-21 for each regular semester or each summer session of more than six
1-22 weeks; or

1-23 (2) \$60 for each summer session of six weeks or less.

1-24 (b) The fee may not be charged unless approved by a majority
1-25 vote of the students enrolled at the university who participate in a
1-26 general student election held for that purpose.

1-27 (c) The fee may be used only to develop and maintain an
1-28 intercollegiate athletics program at the university.

1-29 (d) The board of regents may increase the amount of the fee
1-30 for a semester or summer session in excess of the applicable amount
1-31 provided by Subsection (a) if the increase:

1-32 (1) is approved by a majority vote of the students
1-33 enrolled at the university who participate in a general student
1-34 election called for that purpose; or

1-35 (2) does not exceed 10 percent of the amount of the fee
1-36 charged for the same semester or summer session in the preceding
1-37 academic year.

1-38 (e) The chief fiscal officer of the university shall collect
1-39 the fee and shall deposit the revenue from the fee in an account to
1-40 be known as the Midwestern State University intercollegiate
1-41 athletics fee account.

1-42 (f) The fee is not considered in determining the maximum
1-43 amount of student services fees that may be charged under Section
1-44 54.503.

1-45 SECTION 2. The change in law made by this Act applies only
1-46 to fees imposed for a semester or term that begins on or after the
1-47 effective date of this Act.

1-48 SECTION 3. This Act takes effect immediately if it receives
1-49 a vote of two-thirds of all the members elected to each house, as
1-50 provided by Section 39, Article III, Texas Constitution. If this
1-51 Act does not receive the vote necessary for immediate effect, this
1-52 Act takes effect September 1, 2009.

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