

1-1 By: Shapleigh S.B. No. 2182
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 30, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 1; April 30, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2182 By: West
1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to an environmental service fee at public institutions of
1-11 higher education.

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 54.5041 to read as follows:

1-15 Sec. 54.5041. ENVIRONMENTAL SERVICE FEE. (a) The
1-16 governing board of an institution of higher education may charge
1-17 each student enrolled at the institution an environmental service
1-18 fee, if the fee has been approved by a majority vote of the students
1-19 enrolled at the institution who participate in a general student
1-20 election called for that purpose.

1-21 (b) Unless increased in accordance with Subsection (d), the
1-22 amount of the fee may not exceed:

1-23 (1) \$5 for each regular semester or summer term of more
1-24 than six weeks; or

1-25 (2) \$2.50 for each summer session of six weeks or less.

1-26 (c) The fee may be used only to:

1-27 (1) provide environmental improvements at the
1-28 institution through services related to recycling, energy
1-29 efficiency and renewable energy, transportation, employment,
1-30 product purchasing, planning and maintenance, or irrigation; or

1-31 (2) provide matching funds for grants to obtain
1-32 environmental improvements described by Subdivision (1).

1-33 (d) The amount of the fee may not be increased unless the
1-34 increase has been approved by a majority vote of the students
1-35 enrolled at the institution who participate in a general student
1-36 election called for that purpose. The fee may not be increased
1-37 under this subsection if the increase would result in a fee under
1-38 this section in an amount that exceeds:

1-39 (1) \$10 for each regular semester or summer term of
1-40 more than six weeks; or

1-41 (2) \$5 for each summer session of six weeks or less.

1-42 (e) An institution that imposes the environmental service
1-43 fee may not use the revenue generated by the fee to reduce or
1-44 replace other money allocated by the institution for environmental
1-45 projects.

1-46 (f) Any fee revenue that exceeds the amount necessary to
1-47 cover current operating expenses for environmental services and any
1-48 interest generated from that revenue may be used only for purposes
1-49 provided under Subsection (c).

1-50 (g) The fee is not considered in determining the maximum
1-51 amount of student services fees that an institution of higher
1-52 education may charge.

1-53 (h) The fee may not be charged after the fifth academic year
1-54 in which the fee is first charged unless, before the end of that
1-55 academic year, the institution has issued bonds payable from the
1-56 fee, in which event the fee may not be charged after the academic
1-57 year in which all such bonds, including refunding bonds for those
1-58 bonds, have been fully paid.

1-59 SECTION 2. The change in law made by this Act applies only
1-60 to fees imposed for a semester or term that begins on or after the
1-61 effective date of this Act.

1-62 SECTION 3. This Act takes effect immediately if it receives
1-63 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2009.

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