

BILL ANALYSIS

C.S.H.B. 1486
By: Lavender
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, Texas A&M University--Texarkana recently took several major steps in its transition from a small upper-level institution to a comprehensive regional institution, including relocating to a new campus and opening its first campus residence hall. The parties cite research on enhancing student retention and graduation rates at four-year institutions in noting that increasing student engagement on campus is key to improving student success, and, with that in mind, Texas A&M University--Texarkana has significantly expanded various campus activities, including club sports.

In order to transition club sports into full intercollegiate sports, student government at the university recently called for a student referendum to add an athletics fee. That referendum was approved, but The Texas A&M University System lacks the authority to impose such a fee. C.S.H.B. 1486 seeks to provide Texas A&M University--Texarkana with the resources necessary to develop and maintain an intercollegiate athletics program.

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. 1486 amends the Education Code to authorize The Texas A&M University System board of regents to impose an intercollegiate athletics fee of up to \$9 per semester credit hour per regular semester or summer session on each student enrolled at Texas A&M University--Texarkana contingent on the fee's approval by a majority vote of the students participating in a general student election held at the university for that purpose. The bill authorizes an increase in the amount of the fee above the cap from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the university's student government.

C.S.H.B. 1486 requires a student enrolled in more than 12 semester credit hours to pay the fee in the same amount as paid by a student enrolled in 12 semester credit hours during the same semester or session and authorizes the fee to be used to develop and maintain an intercollegiate athletics program at the university. The bill establishes that the fee is in addition to any other fee authorized by law and prohibits the fee from being considered in determining the amount of student services fees that may be imposed. The bill also 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 bill prohibits the fee from being charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid. The bill's provisions apply beginning with the 2013 fall semester.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1486 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter E, Chapter 54, Education Code is amended by adding Section 54.53975 to read as follows:

Sec. 54.53975. INTERCOLLEGIATE ATHLETICS FEES; TEXAS A&M UNIVERSITY--TEXARKANA. (a) The board of regents of The Texas A&M University System may impose an intercollegiate athletics fee on each student enrolled at Texas A&M University--Texarkana.

(See (b) below.)

The fee may not be imposed unless approved by a majority vote of the students participating in a general student election held at the university for that purpose.

(b) The amount of the fee may not exceed \$9 per semester credit hour for each regular semester or summer session unless the amount is increased as provided by Subsection (c).

(c) The amount of the fee per semester credit hour may be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(d) A student enrolled in more than 12 semester credit hours shall pay the fee in an amount equal to the amount imposed on a student enrolled in 12 semester credit hours during the same semester or session.

(e) A fee imposed under this section may be

HOUSE COMMITTEE SUBSTITUTE

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in an amount not to exceed \$9 per semester credit hour for each regular semester or summer session unless the amount of the fee is increased as provided by Subsection (c).

(b) The fee may not be imposed unless approved by a majority vote of the students of the university who participate in a general student election held for that purpose.

(See (a) above.)

(c) The amount of the fee per semester credit hour may be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(d) A student enrolled in more than 12 semester credit hours shall pay the fee in an amount equal to the amount imposed on a student enrolled in 12 semester credit hours during the same semester or session.

(e) A fee imposed under this section may be

used to develop and maintain an intercollegiate athletics program at the university.

(f) A fee imposed under this section is in addition to any other fee authorized by law and may not be considered in determining the amount of student services fees that may be imposed under Section 54.503.

SECTION 2. This Act applies beginning with the 2013 fall semester.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

used to develop and maintain an intercollegiate athletics program at the university.

(f) A fee imposed under this section is in addition to any other fee authorized by law and may not be considered in determining the amount of student services fees that may be imposed under Section 54.503.

(g) The fee may not be 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.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.