

## BILL ANALYSIS

C.S.H.B. 3792  
By: Coleman  
Higher Education  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

Recent legislation authorized the board of regents of Texas Southern University to impose an intercollegiate athletics fee on each student enrolled at the university. Students at the university voted to approve the athletic fee, specifically for the enhancement of the athletic program, in an effort to generate needed revenue to support the athletics program. The fee is currently set to sunset unless the institution uses the fee for bonding, in which case the fee is set to sunset when the bonds are repaid. Interested parties report that there is a desire, if the students of the university are amenable, to continue assessing the fee without applying the fee to bonds. C.S.H.B. 3792 proposes to address this issue.

### 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. 3792 amends the Education Code to establish that statutory provisions relating to the authority of the board of regents of Texas Southern University to impose an intercollege athletics fee on each enrolled student expire on the next September 1 that follows the fifth anniversary of the effective date of the most recent act of the legislature amending or reenacting those provisions unless the legislature reenacts the provisions before that date.

### EFFECTIVE DATE

September 1, 2013.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3792 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 to read as follows:  
Sec. 54.5223. INTERCOLLEGIATE ATHLETICS FEE: TEXAS SOUTHERN UNIVERSITY. (a) The board of regents of Texas Southern University may impose an intercollegiate athletics fee on each student enrolled at Texas Southern University in an

#### HOUSE COMMITTEE SUBSTITUTE

**No equivalent provision.**

amount not to exceed \$10 per semester credit hour.

(b) The amount of the fee imposed on a student in a semester or session may not exceed the amount of the fee imposed on a student enrolled in 15 semester credit hours during the same semester or session.

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

(d) 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 of the university participating in a general student election held for that purpose.

(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 maximum 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 or unless reauthorized by a majority vote of the students of the university participating in a general student election held for that purpose.

No equivalent provision.

SECTION 2. This Act will take effect September 1, 2014.

SECTION 1. Section 54.5223, Education Code, is amended by adding Subsection (h) to read as follows:

(h) This section expires on the next September 1 that follows the fifth anniversary of the effective date of the most recent act of the legislature amending or reenacting this section unless the legislature reenacts this section before that date.

SECTION 2. This Act takes effect September 1, 2013.