

By: Canales

H.B. No. 3993

A BILL TO BE ENTITLED

AN ACT

1
2 relating to The University of Texas Rio Grande Valley, to student
3 fees imposed by the university, and to the elimination of certain
4 obsolete statutory references in relation to the university.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 25.086(a), Education Code, is amended to
7 read as follows:

8 (a) A child is exempt from the requirements of compulsory
9 school attendance if the child:

10 (1) attends a private or parochial school that
11 includes in its course a study of good citizenship;

12 (2) is eligible to participate in a school district's
13 special education program under Section 29.003 and cannot be
14 appropriately served by the resident district;

15 (3) has a physical or mental condition of a temporary
16 and remediable nature that makes the child's attendance infeasible
17 and holds a certificate from a qualified physician specifying the
18 temporary condition, indicating the treatment prescribed to remedy
19 the temporary condition, and covering the anticipated period of the
20 child's absence from school for the purpose of receiving and
21 recuperating from that remedial treatment;

22 (4) is expelled in accordance with the requirements of
23 law in a school district that does not participate in a mandatory
24 juvenile justice alternative education program under Section

1 37.011;

2 (5) is at least 17 years of age and:

3 (A) is attending a course of instruction to
4 prepare for the high school equivalency examination, and:

5 (i) has the permission of the child's parent
6 or guardian to attend the course;

7 (ii) is required by court order to attend
8 the course;

9 (iii) has established a residence separate
10 and apart from the child's parent, guardian, or other person having
11 lawful control of the child; or

12 (iv) is homeless; or

13 (B) has received a high school diploma or high
14 school equivalency certificate;

15 (6) is at least 16 years of age and is attending a
16 course of instruction to prepare for the high school equivalency
17 examination, if:

18 (A) the child is recommended to take the course
19 of instruction by a public agency that has supervision or custody of
20 the child under a court order; or

21 (B) the child is enrolled in a Job Corps training
22 program under the Workforce Investment Act of 1998 (29 U.S.C.
23 Section 2801 et seq.);

24 (7) is at least 16 years of age and is enrolled in a
25 high school diploma program under Chapter 18;

26 (8) is enrolled in the Texas Academy of Mathematics
27 and Science under Subchapter G, Chapter 105;

1 (9) is enrolled in the Texas Academy of Leadership in
2 the Humanities;

3 (10) is enrolled in the Texas Academy of Mathematics
4 and Science at The University of Texas Rio Grande Valley [~~at~~
5 ~~Brownsville~~];

6 (11) is enrolled in the Texas Academy of International
7 Studies; or

8 (12) is specifically exempted under another law.

9 SECTION 2. Section 54.223(a), Education Code, is amended to
10 read as follows:

11 (a) A person enrolled in The University of Texas Rio Grande
12 Valley or [~~at Brownsville and~~] Texas Southmost College is entitled
13 to pay tuition and fees at the rates provided for Texas residents if
14 the person:

15 (1) is in residence and in training as a participating
16 athlete in a Community Olympic Development Program or at a United
17 States Olympic training center located in this state;

18 (2) is residing permanently or temporarily in this
19 state while in training as a participating athlete:

20 (A) in a Community Olympic Development Program
21 located in this state; or

22 (B) at a United States Olympic training center
23 located in this state in a program approved by the governing body
24 for the athlete's Olympic sport; or

25 (3) is residing permanently or temporarily in this
26 state while in training as a participating athlete at a facility in
27 this state approved by the governing body for the athlete's Olympic

1 sport, in a program approved by that body.

2 SECTION 3. Section 54.542, Education Code, is amended to
3 read as follows:

4 Sec. 54.542. STUDENT UNION FACILITIES [~~BUILDING~~] FEE; THE
5 UNIVERSITY OF TEXAS RIO GRANDE VALLEY [~~TEXAS-PAN-AMERICAN~~]. (a)
6 Except as provided by Subsection (c) [~~of this section~~], the board of
7 regents of The University of Texas System may levy a student union
8 fee, not to exceed \$30 for each student for each regular semester or
9 \$15 for each student for each term of the summer session, for the
10 sole purpose of financing, constructing, operating, maintaining,
11 renovating, and improving [~~a~~] student union facilities [~~building~~]
12 for The University of Texas Rio Grande Valley [~~Texas-Pan-American~~].

13 (b) The board of regents may pledge the fees levied under
14 this section to pay obligations issued pursuant to the revenue
15 financing system of The University of Texas System.

16 (c) A student union fee levied under this section may not be
17 levied or increased unless the levy or increase is approved by a
18 majority vote of those students participating in a general election
19 held for that purpose.

20 (d) Student union fees levied under this section are in
21 addition to any other fee the board of regents is authorized by law
22 to charge and may not be considered in determining the maximum
23 student services fee that may be charged under Section 54.503(b)
24 [~~of this code~~].

25 (e) Revenue from the fee collected under Subsection (a)
26 shall be deposited [~~The board shall deposit student union fees~~
27 ~~levied under this section~~] to the credit of an account known as The

1 University of Texas Rio Grande Valley [~~Texas-Pan American~~] Student
2 Union Fee Account.

3 (f) Notwithstanding Section 51.002 [~~of this code~~], student
4 union fees levied under this section are under the control of the
5 Student Union Advisory Committee. The committee annually shall
6 submit to the president of The University of Texas Rio Grande Valley
7 [~~Texas-Pan American~~] a complete and itemized budget with a complete
8 report of all activities conducted during the past year and all
9 expenditures made in connection with those activities. The
10 president shall submit the budget to the board of regents as part of
11 the institutional budget. Before approving the budget, the board of
12 regents may make changes in the budget that the board determines are
13 necessary. After approving the budget, the board, in accordance
14 with this section, may levy the student union fees for that year in
15 amounts sufficient to meet the budgetary needs of the student union
16 facilities [~~building~~].

17 SECTION 4. Section 54.5421, Education Code, is amended to
18 read as follows:

19 Sec. 54.5421. SPORTS RECREATION AND WELLNESS FACILITY FEE;
20 THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY [~~TEXAS--PAN AMERICAN~~].

21 (a) The board of regents of The University of Texas System may
22 charge each student enrolled at The University of Texas Rio Grande
23 Valley [~~Texas--Pan American~~] a sports recreation and wellness
24 facility fee to finance, construct, operate, maintain, or improve
25 sports recreation and wellness programs and facilities at the
26 university. The amount of the fee may not exceed \$79 per student
27 [~~\$75~~] for each regular semester and \$39.50 per student [~~of the~~

1 ~~regular term or~~] for each term of the summer session.

2 (b) A fee charged under this section is in addition to any
3 other fee the board is authorized by law to charge [~~The fee may not~~
4 ~~be imposed unless the fee is approved by a majority vote of those~~
5 ~~students voting in a general student election called for that~~
6 ~~purpose~~].

7 (c) The board may not increase the amount of the fee by more
8 than 10 percent in any [~~from one~~] academic year [~~to the next~~] unless
9 the amount of the increase is approved by:

10 (1) a majority vote of those students participating
11 [~~voting~~] in a general student election held at the institution and
12 called for that purpose; and

13 (2) a majority of the members of the legislative body
14 of the student government of the institution.

15 (d) The board shall deposit the revenue from the fee to the
16 credit of [~~in~~] an account known as The University of Texas Rio
17 Grande Valley [~~Texas—Pan American~~] sports recreation and wellness
18 facility account. Money in the account shall be used to the extent
19 required in accordance with the terms of the settlement agreement
20 between the board of regents of The University of Texas System and
21 the board of trustees of the Texas Southmost College District, as
22 amended from time to time, terminating the partnership agreement
23 authorized by former Section 78.02.

24 (e) The board may:

25 (1) pledge revenue from the fee to pay obligations
26 issued pursuant to the revenue financing system of The University
27 of Texas System; and

1 (2) use revenue from the fee to pay an obligation
2 issued to finance, construct, operate, maintain, renovate, or
3 improve a wellness, recreational, and fitness complex owned by
4 Texas Southmost College and used by the university under the terms
5 of the settlement agreement between the board of regents of The
6 University of Texas System and the board of trustees of the Texas
7 Southmost College District.

8 (f) A fee imposed under this section may not be considered
9 in determining the maximum amount of student services fees that may
10 be charged under Section 54.503.

11 (g) The board may permit a person who is not enrolled at The
12 University of Texas Rio Grande Valley [~~Texas--Pan American~~] to use
13 a facility financed with revenue from a fee imposed under this
14 section if:

15 (1) the person's use of the facility will not
16 materially interfere with student demand or use;

17 (2) the person is charged a fee that is not less than
18 the student fee and that is not less than the direct and indirect
19 cost to the university of providing for the person's use; and

20 (3) the person's use will not materially increase the
21 potential liability of the university.

22 (h) The board of trustees of the Texas Southmost College
23 District may pledge revenue from a fee imposed under this section,
24 whether received directly from a student or from The University of
25 Texas Rio Grande Valley, under the terms of the settlement
26 agreement between the board of regents of The University of Texas
27 System and the board of trustees of the Texas Southmost College

1 District, for the payment of obligations issued by Texas Southmost
2 College District to finance the construction, operation,
3 maintenance, renovation, and improvement of a wellness,
4 recreational, and fitness complex owned by Texas Southmost College
5 District and used by the university under the settlement agreement.
6 If the fee imposed under this section is pledged to the payment of
7 obligations issued by Texas Southmost College District, the board
8 of regents of The University of Texas System may not pledge revenue
9 from the fee for the payment of obligations issued for an authorized
10 purpose under the revenue financing system of The University of
11 Texas System.

12 SECTION 5. Section 54.551, Education Code, is amended to
13 read as follows:

14 Sec. 54.551. INTERCOLLEGIATE ATHLETICS FEE; THE
15 UNIVERSITY OF TEXAS RIO GRANDE VALLEY [~~AT BROWNSVILLE~~]. (a) The
16 board of regents of The University of Texas System may impose on
17 each student enrolled at The University of Texas Rio Grande Valley
18 [~~at Brownsville~~] an intercollegiate athletics fee in an amount not
19 to exceed \$15 [~~\$7~~] per semester credit hour for each regular
20 semester or summer session, unless the amount is increased as
21 provided by Subsection (d).

22 (b) The board shall deposit revenue from the fee to the
23 credit of an account known as The University of Texas Rio Grande
24 Valley [~~at Brownsville~~] intercollegiate athletics fee
25 account. Revenue from the fee charged under this section may be
26 used only for financing, constructing, operating, maintaining,
27 renovating, or improving an athletic facility or for operating an

1 intercollegiate athletics program at the university [~~Money in the~~
2 ~~account shall be used in accordance with the terms of the~~
3 ~~partnership agreements entered into between The University of Texas~~
4 ~~at Brownsville and Texas Southmost College under Section 78.02~~].

5 (c) If compulsory student services fees are charged to
6 students enrolled at the university under Section 54.503, the total
7 amount of those fees charged to a student shall be reduced by \$15
8 per semester credit hour for the first semester in which an
9 intercollegiate athletics fee is charged under this section [~~The~~
10 ~~fee may not be imposed unless approved by a majority vote of the~~
11 ~~students of the university who participate in a general student~~
12 ~~election held for that purpose~~].

13 (d) The fee authorized by this section may not be increased
14 by more than 10 percent from one academic year to the next [~~amount~~
15 ~~of the fee may not be increased to an amount that exceeds by 10~~
16 ~~percent or more the total amount of the fee as last approved by a~~
17 ~~student vote under Subsection (c) or this subsection~~] unless the
18 increase has been approved by a majority vote of those [~~the~~
19 ~~students participating~~ [~~enrolled at the university who~~
20 ~~participate~~] in a general student election held at the institution
21 and called for that purpose.

22 (e) A fee imposed under this section is in addition to any
23 other fee the board is authorized by law to impose, and may not be
24 considered in determining the maximum amount of student services
25 fees that may be imposed under Section 54.503.

26 [~~(f) Subject to the limitations of this section on the~~
27 ~~amount of the fee and any increase in the amount of the fee, the fee~~

1 ~~imposed under this section must be in the same amount as the~~
2 ~~intercollegiate athletics fee charged a student at Texas Southmost~~
3 ~~College by the board of trustees of Southmost Union Junior College~~
4 ~~District. A student attending either or both institutions may be~~
5 ~~charged an intercollegiate athletics fee by only one of the~~
6 ~~institutions.~~

7 ~~[(g) The board may not impose the fee authorized by this~~
8 ~~section on a student who is enrolled solely in online courses at the~~
9 ~~university.]~~

10 SECTION 6. Section 61.003(3), Education Code, is amended to
11 read as follows:

12 (3) "General academic teaching institution" means The
13 University of Texas at Austin; The University of Texas at El Paso;
14 The University of Texas of the Permian Basin; The University of
15 Texas at Dallas; The University of Texas at San Antonio; Texas A&M
16 University, Main University; The University of Texas at Arlington;
17 Tarleton State University; Prairie View A&M University; Texas
18 Maritime Academy; Texas Tech University; University of North Texas;
19 Lamar University; Lamar State College--Orange; Lamar State
20 College--Port Arthur; Texas A&M University--Kingsville; Texas A&M
21 University--Corpus Christi; Texas Woman's University; Texas
22 Southern University; Midwestern State University; University of
23 Houston; The University of Texas Rio Grande Valley [~~Texas--Pan~~
24 ~~American; The University of Texas at Brownsville~~]; Texas A&M
25 University--Commerce; Sam Houston State University; Texas State
26 University; West Texas A&M University; Stephen F. Austin State
27 University; Sul Ross State University; Angelo State University; The

1 University of Texas at Tyler; and any other college, university, or
2 institution so classified as provided in this chapter or created
3 and so classified, expressly or impliedly, by law.

4 SECTION 7. Section 69.22(e), Education Code, is amended to
5 read as follows:

6 (e) The center established under this section shall
7 cooperate fully with similar programs operated by Texas A&M
8 International University, The University of Texas Rio Grande Valley
9 [~~Texas--Pan American, The University of Texas at Brownsville~~], and
10 other institutions of higher education.

11 SECTION 8. Section 87.504(e), Education Code, is amended to
12 read as follows:

13 (e) The center established under this section shall
14 cooperate fully with similar programs operated by The University of
15 Texas at El Paso, The University of Texas Rio Grande Valley
16 [~~Texas--Pan American, The University of Texas at Brownsville~~], and
17 other institutions of higher education.

18 SECTION 9. Section 88.601(2), Education Code, is amended to
19 read as follows:

20 (2) "Consortium" means Lamar University, Texas A&M
21 University-Corpus Christi, Texas A&M University at Galveston, The
22 University of Texas Rio Grande Valley [~~at Brownsville~~], Texas A&M
23 University, Texas Transportation Institute, and the Center for
24 Transportation Research at The University of Texas at Austin.

25 SECTION 10. Section 110.40(h), Education Code, is amended
26 to read as follows:

27 (h) In conducting its activities under this section, the

1 center shall consult with The University of Texas Rio Grande Valley
2 [~~Texas-Pan American~~] Border Health Office that administers the Type
3 2 Diabetes risk assessment program under Chapter 95, Health and
4 Safety Code.

5 SECTION 11. Section 155.003(b), Education Code, is amended
6 to read as follows:

7 (b) The commission shall appoint an advisory committee to
8 advise the commission regarding the development of priorities,
9 guidelines, and procedures for the implementation of this
10 chapter. The advisory committee must include representatives of:

- 11 (1) Rice University;
- 12 (2) the University of Houston;
- 13 (3) The University of Texas at Austin;
- 14 (4) Texas A&M University;
- 15 (5) Texas A&M University at Galveston;
- 16 (6) Texas Southern University;
- 17 (7) The University of Texas Rio Grande Valley [~~at~~
18 ~~Brownsville~~];
- 19 (8) regional planning commissions, councils of
20 governments, or similar regional planning agencies created under
21 Chapter 391, Local Government Code, whose membership includes a
22 municipality or county located in the Gulf Coast Region;
- 23 (9) engineering and construction firms associated
24 with public works contracts; and
- 25 (10) the medical profession in a major urban area
26 located in the Gulf Coast Region.

27 SECTION 12. Section 490A.003(a), Government Code, is

1 amended to read as follows:

2 (a) The founding members of the network are:

3 (1) the Texas Cooperative Extension of The Texas A&M
4 University System;

5 (2) the IC2 Institute at The University of Texas at
6 Austin;

7 (3) the College of Agricultural Sciences and Natural
8 Resources at Texas Tech University;

9 (4) the Department of Agriculture;

10 (5) the Texas Workforce Commission;

11 (6) the Texas Department of Rural Affairs;

12 (7) the Texas Center for Rural Entrepreneurship;

13 (8) the Texas Economic Development Council;

14 (9) CoSERVE at The University of Texas Rio Grande
15 Valley [~~Texas--Pan American~~];

16 (10) the office of external affairs at Texas Southern
17 University; and

18 (11) the John F. Baugh Center for Entrepreneurship at
19 Baylor University.

20 SECTION 13. Section 95.001(4), Health and Safety Code, is
21 amended to read as follows:

22 (4) "Office" means The University of Texas Rio Grande
23 Valley [~~Texas--Pan American~~] Border Health Office.

24 SECTION 14. Sections 54.546 and 54.550, Education Code, are
25 repealed.

26 SECTION 15. This Act takes effect immediately if it
27 receives a vote of two-thirds of all the members elected to each

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1 house, as provided by Section 39, Article III, Texas Constitution.
2 If this Act does not receive the vote necessary for immediate
3 effect, this Act takes effect September 1, 2021.