

1-1 By: Hinojosa S.B. No. 1467
 1-2 (In the Senate - Filed March 10, 2021; March 24, 2021, read
 1-3 first time and referred to Committee on Higher Education;
 1-4 April 29, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 29, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1467 By: West

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to The University of Texas Rio Grande Valley, to student
 1-22 fees imposed by the university, and to the elimination of certain
 1-23 obsolete statutory references in relation to the university.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 25.086(a), Education Code, is amended to
 1-26 read as follows:

1-27 (a) A child is exempt from the requirements of compulsory
 1-28 school attendance if the child:

1-29 (1) attends a private or parochial school that
 1-30 includes in its course a study of good citizenship;

1-31 (2) is eligible to participate in a school district's
 1-32 special education program under Section 29.003 and cannot be
 1-33 appropriately served by the resident district;

1-34 (3) has a physical or mental condition of a temporary
 1-35 and remediable nature that makes the child's attendance infeasible
 1-36 and holds a certificate from a qualified physician specifying the
 1-37 temporary condition, indicating the treatment prescribed to remedy
 1-38 the temporary condition, and covering the anticipated period of the
 1-39 child's absence from school for the purpose of receiving and
 1-40 recuperating from that remedial treatment;

1-41 (4) is expelled in accordance with the requirements of
 1-42 law in a school district that does not participate in a mandatory
 1-43 juvenile justice alternative education program under Section
 1-44 37.011;

1-45 (5) is at least 17 years of age and:

1-46 (A) is attending a course of instruction to
 1-47 prepare for the high school equivalency examination, and:

1-48 (i) has the permission of the child's parent
 1-49 or guardian to attend the course;

1-50 (ii) is required by court order to attend
 1-51 the course;

1-52 (iii) has established a residence separate
 1-53 and apart from the child's parent, guardian, or other person having
 1-54 lawful control of the child; or

1-55 (iv) is homeless; or

1-56 (B) has received a high school diploma or high
 1-57 school equivalency certificate;

1-58 (6) is at least 16 years of age and is attending a
 1-59 course of instruction to prepare for the high school equivalency
 1-60 examination, if:

2-1 (A) the child is recommended to take the course
2-2 of instruction by a public agency that has supervision or custody of
2-3 the child under a court order; or

2-4 (B) the child is enrolled in a Job Corps training
2-5 program under the Workforce Investment Act of 1998 (29 U.S.C.
2-6 Section 2801 et seq.);

2-7 (7) is at least 16 years of age and is enrolled in a
2-8 high school diploma program under Chapter 18;

2-9 (8) is enrolled in the Texas Academy of Mathematics
2-10 and Science under Subchapter G, Chapter 105;

2-11 (9) is enrolled in the Texas Academy of Leadership in
2-12 the Humanities;

2-13 (10) is enrolled in the Texas Academy of Mathematics
2-14 and Science at The University of Texas Rio Grande Valley [~~at~~
2-15 ~~Brownsville~~];

2-16 (11) is enrolled in the Texas Academy of International
2-17 Studies; or

2-18 (12) is specifically exempted under another law.

2-19 SECTION 2. Section 54.223(a), Education Code, is amended to
2-20 read as follows:

2-21 (a) A person enrolled in The University of Texas Rio Grande
2-22 Valley or [~~at Brownsville and~~] Texas Southmost College is entitled
2-23 to pay tuition and fees at the rates provided for Texas residents if
2-24 the person:

2-25 (1) is in residence and in training as a participating
2-26 athlete in a Community Olympic Development Program or at a United
2-27 States Olympic training center located in this state;

2-28 (2) is residing permanently or temporarily in this
2-29 state while in training as a participating athlete:

2-30 (A) in a Community Olympic Development Program
2-31 located in this state; or

2-32 (B) at a United States Olympic training center
2-33 located in this state in a program approved by the governing body
2-34 for the athlete's Olympic sport; or

2-35 (3) is residing permanently or temporarily in this
2-36 state while in training as a participating athlete at a facility in
2-37 this state approved by the governing body for the athlete's Olympic
2-38 sport, in a program approved by that body.

2-39 SECTION 3. Section 54.542, Education Code, is amended to
2-40 read as follows:

2-41 Sec. 54.542. STUDENT UNION FACILITIES [~~BUILDING~~] FEE; THE
2-42 UNIVERSITY OF TEXAS RIO GRANDE VALLEY [~~TEXAS-PAN AMERICAN~~]. (a)
2-43 Except as provided by Subsection (c) [~~of this section~~], the board of
2-44 regents of The University of Texas System may levy a student union
2-45 fee, not to exceed \$30 for each student for each regular semester or
2-46 \$15 for each student for each term of the summer session, for the
2-47 sole purpose of financing, constructing, operating, maintaining,
2-48 renovating, and improving [~~a~~] student union facilities [~~building~~]
2-49 for The University of Texas Rio Grande Valley [~~Texas-Pan American~~].

2-50 (b) The board of regents may pledge the fees levied under
2-51 this section to pay obligations issued pursuant to the revenue
2-52 financing system of The University of Texas System.

2-53 (c) A student union fee levied under this section may not be
2-54 levied or increased unless the levy or increase is approved by a
2-55 majority vote of those students participating in a general election
2-56 held for that purpose.

2-57 (d) Student union fees levied under this section are in
2-58 addition to any other fee the board of regents is authorized by law
2-59 to charge and may not be considered in determining the maximum
2-60 student services fee that may be charged under Section 54.503(b)
2-61 [~~of this code~~].

2-62 (e) Revenue from the fee collected under Subsection (a)
2-63 shall be deposited [~~The board shall deposit student union fees~~
2-64 ~~levied under this section~~] to the credit of an account known as The
2-65 University of Texas Rio Grande Valley student union fee account
2-66 [~~Texas-Pan American Student Union Fee Account~~].

2-67 (f) Notwithstanding Section 51.002 [~~of this code~~], student
2-68 union fees levied under this section are under the control of the
2-69 Student Union Advisory Committee. The committee annually shall

3-1 submit to the president of The University of Texas Rio Grande Valley
 3-2 [~~Texas-Pan American~~] a complete and itemized budget with a complete
 3-3 report of all activities conducted during the past year and all
 3-4 expenditures made in connection with those activities. The
 3-5 president shall submit the budget to the board of regents as part of
 3-6 the institutional budget. Before approving the budget, the board
 3-7 of regents may make changes in the budget that the board determines
 3-8 are necessary. After approving the budget, the board, in
 3-9 accordance with this section, may levy the student union fees for
 3-10 that year in amounts sufficient to meet the budgetary needs of the
 3-11 student union facilities [~~building~~].

3-12 SECTION 4. Section 54.5421, Education Code, is amended to
 3-13 read as follows:

3-14 Sec. 54.5421. SPORTS RECREATION AND WELLNESS FACILITY FEE;
 3-15 THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY [~~TEXAS--PAN AMERICAN~~].

3-16 (a) The board of regents of The University of Texas System may
 3-17 charge each student enrolled at The University of Texas Rio Grande
 3-18 Valley [~~Texas--Pan American~~] a sports recreation and wellness
 3-19 facility fee to finance, construct, operate, maintain, or improve
 3-20 sports recreation and wellness programs and facilities at the
 3-21 university. The amount of the fee may not exceed \$79 per student
 3-22 [~~\$75~~] for each regular semester and \$39.50 per student [~~of the~~
 3-23 ~~regular term or~~] for each term of the summer session.

3-24 (b) A fee charged under this section is in addition to any
 3-25 other fee the board is authorized by law to charge [~~The fee may not~~
 3-26 ~~be imposed unless the fee is approved by a majority vote of those~~
 3-27 ~~students voting in a general student election called for that~~
 3-28 ~~purpose~~].

3-29 (c) The board may not increase the amount of the fee by more
 3-30 than 10 percent in any [~~from one~~] academic year [~~to the next~~] unless
 3-31 the amount of the increase is approved by:

3-32 (1) a majority vote of those students participating
 3-33 [~~voting~~] in a general student election held at the institution and
 3-34 called for that purpose; and

3-35 (2) a majority of the members of the legislative body
 3-36 of the student government of the institution.

3-37 (d) The board shall deposit the revenue from the fee to the
 3-38 credit of [~~in~~] an account known as The University of Texas Rio
 3-39 Grande Valley [~~Texas--Pan American~~] sports recreation and wellness
 3-40 facility account. Money in the account shall be used to the extent
 3-41 required in accordance with the terms of the settlement agreement
 3-42 between the board of regents of The University of Texas System and
 3-43 the board of trustees of the Texas Southmost College District, as
 3-44 amended from time to time, terminating the partnership agreement
 3-45 authorized by former Section 78.02.

3-46 (e) The board may:

3-47 (1) pledge revenue from the fee to pay obligations
 3-48 issued pursuant to the revenue financing system of The University
 3-49 of Texas System; and

3-50 (2) use revenue from the fee to pay an obligation
 3-51 issued to finance, construct, operate, maintain, renovate, or
 3-52 improve a wellness, recreational, and fitness complex owned by
 3-53 Texas Southmost College and used by the university under the terms
 3-54 of the settlement agreement between the board of regents of The
 3-55 University of Texas System and the board of trustees of the Texas
 3-56 Southmost College District.

3-57 (f) A fee imposed under this section may not be considered
 3-58 in determining the maximum amount of student services fees that may
 3-59 be charged under Section 54.503.

3-60 (g) The board may permit a person who is not enrolled at The
 3-61 University of Texas Rio Grande Valley [~~Texas--Pan American~~] to use
 3-62 a university-owned facility financed with revenue from a fee
 3-63 imposed under this section if:

3-64 (1) the person's use of the facility will not
 3-65 materially interfere with student demand or use;

3-66 (2) the person is charged a fee that is not less than
 3-67 the student fee and that is not less than the direct and indirect
 3-68 cost to the university of providing for the person's use; and

3-69 (3) the person's use will not materially increase the

4-1 potential liability of the university.

4-2 (h) The board of trustees of the Texas Southmost College
 4-3 District may pledge revenue from a fee imposed under this section,
 4-4 whether received directly from a student or from The University of
 4-5 Texas Rio Grande Valley, under the terms of the settlement
 4-6 agreement between the board of regents of The University of Texas
 4-7 System and the board of trustees of the Texas Southmost College
 4-8 District, for the payment of obligations issued by Texas Southmost
 4-9 College District to finance the construction, operation,
 4-10 maintenance, renovation, and improvement of a wellness,
 4-11 recreational, and fitness complex owned by Texas Southmost College
 4-12 District and used by the university under the settlement agreement.
 4-13 If the fee imposed under this section is pledged to the payment of
 4-14 obligations issued by Texas Southmost College District, the board
 4-15 of regents of The University of Texas System may not pledge revenue
 4-16 from the fee for the payment of obligations issued for an authorized
 4-17 purpose under the revenue financing system of The University of
 4-18 Texas System.

4-19 SECTION 5. Section 54.551, Education Code, is amended to
 4-20 read as follows:

4-21 Sec. 54.551. INTERCOLLEGIATE ATHLETICS FEE; THE
 4-22 UNIVERSITY OF TEXAS RIO GRANDE VALLEY [AT BROWNSVILLE]. (a) The
 4-23 board of regents of The University of Texas System may impose on
 4-24 each student enrolled at The University of Texas Rio Grande Valley
 4-25 [at Brownsville] an intercollegiate athletics fee in an amount not
 4-26 to exceed \$15 [\$7] per semester credit hour for each regular
 4-27 semester or summer session, unless the amount is increased as
 4-28 provided by Subsection (d).

4-29 (b) The board shall deposit revenue from the fee to the
 4-30 credit of an account known as The University of Texas Rio Grande
 4-31 Valley [at Brownsville] intercollegiate athletics fee
 4-32 account. Revenue from the fee charged under this section may be
 4-33 used only for financing, constructing, operating, maintaining,
 4-34 renovating, or improving an athletic facility or for operating an
 4-35 intercollegiate athletics program at the university [Money in the
 4-36 account shall be used in accordance with the terms of the
 4-37 partnership agreements entered into between The University of Texas
 4-38 at Brownsville and Texas Southmost College under Section 78.02].

4-39 (c) If compulsory student services fees are charged to
 4-40 students enrolled at the university under Section 54.503, the total
 4-41 amount of those fees charged to a student shall be reduced by \$15
 4-42 per semester credit hour beginning with the first semester in which
 4-43 an intercollegiate athletics fee is charged under this section [The
 4-44 fee may not be imposed unless approved by a majority vote of the
 4-45 students of the university who participate in a general student
 4-46 election held for that purpose].

4-47 (d) The fee authorized by this section may not be increased
 4-48 by more than 10 percent from one academic year to the next [amount
 4-49 of the fee may not be increased to an amount that exceeds by 10
 4-50 percent or more the total amount of the fee as last approved by a
 4-51 student vote under Subsection (c) or this subsection] unless the
 4-52 increase has been approved by a majority vote of those [the]
 4-53 students participating [enrolled at the university who
 4-54 participate] in a general student election held at the institution
 4-55 and called for that purpose.

4-56 (e) A fee imposed under this section is in addition to any
 4-57 other fee the board is authorized by law to impose, and may not be
 4-58 considered in determining the maximum amount of student services
 4-59 fees that may be imposed under Section 54.503.

4-60 [~~(f)~~] ~~Subject to the limitations of this section on the~~
 4-61 ~~amount of the fee and any increase in the amount of the fee, the fee~~
 4-62 ~~imposed under this section must be in the same amount as the~~
 4-63 ~~intercollegiate athletics fee charged a student at Texas Southmost~~
 4-64 ~~College by the board of trustees of Southmost Union Junior College~~
 4-65 ~~District. A student attending either or both institutions may be~~
 4-66 ~~charged an intercollegiate athletics fee by only one of the~~
 4-67 ~~institutions.~~

4-68 [~~(g)~~] ~~The board may not impose the fee authorized by this~~
 4-69 ~~section on a student who is enrolled solely in online courses at the~~

5-1 ~~university.]~~

5-2 SECTION 6. Section 61.003(3), Education Code, is amended to
5-3 read as follows:

5-4 (3) "General academic teaching institution" means The
5-5 University of Texas at Austin; The University of Texas at El Paso;
5-6 The University of Texas of the Permian Basin; The University of
5-7 Texas at Dallas; The University of Texas at San Antonio; Texas A&M
5-8 University, Main University; The University of Texas at Arlington;
5-9 Tarleton State University; Prairie View A&M University; Texas
5-10 Maritime Academy; Texas Tech University; University of North Texas;
5-11 Lamar University; Lamar State College--Orange; Lamar State
5-12 College--Port Arthur; Texas A&M University--Kingsville; Texas A&M
5-13 University--Corpus Christi; Texas Woman's University; Texas
5-14 Southern University; Midwestern State University; University of
5-15 Houston; The University of Texas Rio Grande Valley [~~Texas--Pan~~
5-16 ~~American; The University of Texas at Brownsville~~]; Texas A&M
5-17 University--Commerce; Sam Houston State University; Texas State
5-18 University; West Texas A&M University; Stephen F. Austin State
5-19 University; Sul Ross State University; Angelo State University; The
5-20 University of Texas at Tyler; and any other college, university, or
5-21 institution so classified as provided in this chapter or created
5-22 and so classified, expressly or impliedly, by law.

5-23 SECTION 7. Section 69.22(e), Education Code, is amended to
5-24 read as follows:

5-25 (e) The center established under this section shall
5-26 cooperate fully with similar programs operated by Texas A&M
5-27 International University, The University of Texas Rio Grande Valley
5-28 [~~Texas--Pan American, The University of Texas at Brownsville~~], and
5-29 other institutions of higher education.

5-30 SECTION 8. Section 87.504(e), Education Code, is amended to
5-31 read as follows:

5-32 (e) The center established under this section shall
5-33 cooperate fully with similar programs operated by The University of
5-34 Texas at El Paso, The University of Texas Rio Grande Valley
5-35 [~~Texas--Pan American, The University of Texas at Brownsville~~], and
5-36 other institutions of higher education.

5-37 SECTION 9. Section 88.601(2), Education Code, is amended to
5-38 read as follows:

5-39 (2) "Consortium" means Lamar University, Texas A&M
5-40 University-Corpus Christi, Texas A&M University at Galveston, The
5-41 University of Texas Rio Grande Valley [~~at Brownsville~~], Texas A&M
5-42 University, Texas Transportation Institute, and the Center for
5-43 Transportation Research at The University of Texas at Austin.

5-44 SECTION 10. Section 110.40(h), Education Code, is amended
5-45 to read as follows:

5-46 (h) In conducting its activities under this section, the
5-47 center shall consult with The University of Texas Rio Grande Valley
5-48 [~~Texas--Pan American~~] Border Health Office that administers the Type
5-49 2 Diabetes risk assessment program under Chapter 95, Health and
5-50 Safety Code.

5-51 SECTION 11. Section 155.003(b), Education Code, is amended
5-52 to read as follows:

5-53 (b) The commission shall appoint an advisory committee to
5-54 advise the commission regarding the development of priorities,
5-55 guidelines, and procedures for the implementation of this
5-56 chapter. The advisory committee must include representatives of:

- 5-57 (1) Rice University;
- 5-58 (2) the University of Houston;
- 5-59 (3) The University of Texas at Austin;
- 5-60 (4) Texas A&M University;
- 5-61 (5) Texas A&M University at Galveston;
- 5-62 (6) Texas Southern University;
- 5-63 (7) The University of Texas Rio Grande Valley [~~at~~
5-64 ~~Brownsville~~];
- 5-65 (8) regional planning commissions, councils of
5-66 governments, or similar regional planning agencies created under
5-67 Chapter 391, Local Government Code, whose membership includes a
5-68 municipality or county located in the Gulf Coast Region;
- 5-69 (9) engineering and construction firms associated

6-1 with public works contracts; and
6-2 (10) the medical profession in a major urban area
6-3 located in the Gulf Coast Region.

6-4 SECTION 12. Section 490A.003(a), Government Code, is
6-5 amended to read as follows:

6-6 (a) The founding members of the network are:

6-7 (1) the Texas Cooperative Extension of The Texas A&M
6-8 University System;

6-9 (2) the IC2 Institute at The University of Texas at
6-10 Austin;

6-11 (3) the College of Agricultural Sciences and Natural
6-12 Resources at Texas Tech University;

6-13 (4) the Department of Agriculture;

6-14 (5) the Texas Workforce Commission;

6-15 (6) the Texas Department of Rural Affairs;

6-16 (7) the Texas Center for Rural Entrepreneurship;

6-17 (8) the Texas Economic Development Council;

6-18 (9) the Texas Center for Border Economic and
6-19 Enterprise Development [CoSERVE] at The University of Texas Rio
6-20 Grande Valley [Texas--Pan American];

6-21 (10) the office of external affairs at Texas Southern
6-22 University; and

6-23 (11) the John F. Baugh Center for Entrepreneurship and
6-24 Free Enterprise at Baylor University.

6-25 SECTION 13. Section 95.001(4), Health and Safety Code, is
6-26 amended to read as follows:

6-27 (4) "Office" means The University of Texas Rio Grande
6-28 Valley [Texas--Pan American] Border Health Office.

6-29 SECTION 14. Sections 54.546 and 54.550, Education Code, are
6-30 repealed.

6-31 SECTION 15. This Act takes effect immediately if it
6-32 receives a vote of two-thirds of all the members elected to each
6-33 house, as provided by Section 39, Article III, Texas Constitution.
6-34 If this Act does not receive the vote necessary for immediate
6-35 effect, this Act takes effect September 1, 2021.

6-36 * * * * *