

## **BILL ANALYSIS**

H.B. 2853  
By: Perez, Vincent  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author informed the committee that The University of Texas at El Paso seeks construction of a new student union building on the university's campus, as the university has seen significant growth in its enrollment since the construction of the current student union in 1949. In September 2024, the student body passed a referendum approving an increase to the student union fee, currently set under statute at \$30 per applicable semester, to \$150 per applicable semester to finance the demolition of the existing student union building and construct a new state-of-the-art facility. H.B. 2853 seeks to follow through with this referendum and raise the maximum student union fee that The University of Texas at El Paso may charge.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

H.B. 2853 amends the Education Code to revise provisions relating to the amount of and conditions under which the board of regents of The University of Texas (UT) System may levy student union building fees for the sole purpose of financing, constructing, operating, maintaining, and improving a student union building for UT at El Paso, as follows:

- changes the fee amount from an amount capped at \$30 per student for each regular semester or each summer session of six weeks or more to an amount capped at \$150 per student for each semester or term of 10 weeks or more;
- changes the fee amount from an amount capped at \$15 per student for each summer session of less than six weeks to an amount capped at \$75 per student for any other semester or term;
- specifies that the purposes for which the board of regents may levy such a fee includes the demolition of the existing student union building;
- replaces the prohibition against the fee being increased above \$15 per student for each regular semester or each summer session of six weeks or more and \$7.50 per student for each summer session of less than six weeks with a prohibition against the fee being increased to an amount that exceeds by at least 10 percent the amount of the fee levied during the preceding academic year; and
- clarifies that the exemption to that prohibition provided by approval of a majority vote of students participating in a general election is provided by approval of a majority vote of students enrolled at the university participating in a general student election held for that purpose.

H.B. 2853 adds temporary provisions, set to expire September 1, 2027, that cap the amount of a student union building fee at UT at El Paso at the following amounts:

- for a semester or term before the 2026 fall semester, \$70 per student for a semester or term of 10 weeks or more or \$35 per student for any other semester or term; and
- for a semester or term of the 2026-2027 academic year, \$120 per student for a semester or term of 10 weeks or more or \$60 per student for any other semester or term.

H.B. 2853 applies beginning with student union fees collected for the 2026 spring semester.

**EFFECTIVE DATE**

September 1, 2025.