

1 AN ACT

2 relating to intercollegiate athletics fees at institutions within
3 the Texas State University System.

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

5 SECTION 1. Subchapter E, Chapter 54, Education Code, is
6 amended by adding Sections 54.5381 and 54.5382 to read as follows:

7 Sec. 54.5381. INTERCOLLEGIATE ATHLETICS FEE: CERTAIN
8 INSTITUTIONS IN TEXAS STATE UNIVERSITY SYSTEM. (a) The board of
9 regents of the Texas State University System may impose an
10 intercollegiate athletics fee on each student enrolled at a
11 component institution of the Texas State University System, other
12 than Texas State University--San Marcos, in an amount not to
13 exceed:

14 (1) \$8.75 per semester credit hour for each regular
15 semester; and

16 (2) \$4.50 per semester credit hour for each summer
17 session.

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

21 (c) A fee imposed under this section may be used to develop
22 and maintain an intercollegiate athletics program at the component
23 institution.

24 (d) The amount of the fee may not be increased to an amount

1 that exceeds by 10 percent or more the total amount of the fee as
2 last approved by a student vote under Subsection (b) or this
3 subsection unless the increase has been approved by a majority vote
4 of the students enrolled at the component institution who
5 participate in a general student election called for that purpose.

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

10 (f) If the imposition of a mandatory intercollegiate
11 athletics fee as described by this section was approved by a
12 majority vote of the students of the component institution who
13 participated in a general student election held on or after January
14 1, 2005, the board of regents may impose the fee as prescribed by
15 the results of the election without calling an additional election.
16 This subsection expires January 1, 2008.

17 Sec. 54.5382. INTERCOLLEGIATE ATHLETICS FEE: TEXAS STATE
18 UNIVERSITY--SAN MARCOS. (a) The board of regents of the Texas
19 State University System may impose an intercollegiate athletics fee
20 on each student enrolled at Texas State University--San Marcos in
21 an amount not to exceed:

22 (1) \$8.75 per semester credit hour for each regular
23 semester; and

24 (2) \$4.50 per semester credit hour for each summer
25 session.

26 (b) The fee may not be imposed unless approved by a majority
27 vote of the students of the university who participate in a general

1 student election held at the university for that purpose.

2 (c) A fee imposed under this section may be used to develop
3 and maintain an intercollegiate athletics program at the
4 university.

5 (d) Not more than once in an academic year, the board of
6 regents may increase the amount of the fee authorized by this
7 section by not more than five percent if the increase is approved by
8 the student government of the university. An increase of more than
9 five percent must be approved by a majority vote of the students of
10 the university who participate in a general student election called
11 for that purpose.

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

16 (f) An intercollegiate athletics fee committee is
17 established at the university to advise the board of regents and the
18 administration of the university regarding the expenditure of
19 revenue generated by the fees imposed under this section. The
20 committee is composed of the following members:

21 (1) three students of the university appointed by the
22 student government of the university;

23 (2) two students of the university who participate in
24 intercollegiate athletics appointed by the student athlete
25 advisory committee;

26 (3) the university's athletic director; and

27 (4) the university's assistant athletic director for

1 business affairs.

2 (g) A student member of the intercollegiate athletics fee
3 committee serves a one-year term. A student member of the committee
4 who withdraws from the university must resign from the committee. A
5 vacancy in an appointive position on the committee shall be filled
6 for the unexpired portion of the term in the same manner as the
7 original appointment.

8 (h) The intercollegiate athletics fee committee shall study
9 the amounts of the fee imposed under this section and make
10 recommendations to the appropriate administrators of the
11 university regarding the expenditure of revenue generated by the
12 fees imposed under this section.

13 (i) Before recommending the intercollegiate athletics fee
14 budget to the board of regents each year, the president of the
15 university shall consider the recommendations of the
16 intercollegiate athletics fee committee. If the president's
17 recommendations to the board are substantially different from the
18 committee's recommendations, the president of the university shall
19 notify the committee not later than the last date on which the
20 committee may request an appearance at the meeting of the board of
21 regents at which the intercollegiate athletics fee budget will be
22 considered. On request of a member of the committee, the president
23 shall provide the member with a written report of the president's
24 recommendations to the board.

25 (j) If the imposition of a mandatory intercollegiate
26 athletics fee as described by this section was approved by a
27 majority vote of the students of the university who participated in

See
4th ed

S.B. No. 161

1 a general student election held on or after January 1, 2005, the
2 board of regents may impose the fee as prescribed by the results of
3 the election without calling an additional election. This
4 subsection expires January 1, 2008.

5 SECTION 2. This Act applies beginning with the 2007 fall
6 semester.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.

S.B. No. 161

David Newkum
President of the Senate

Tom Caddick
Speaker of the House

I hereby certify that S.B. No. 161 passed the Senate on April 18, 2007, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 2007, by the following vote: Yeas 30, Nays 0.

Patricia Spaw
Secretary of the Senate

I hereby certify that S.B. No. 161 passed the House, with amendment, on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting.

Robert Honey
Chief Clerk of the House

Approved:

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 PM O'CLOCK
JUN 15 2007
Roger Williams
Secretary of State



OFFICIAL MEMORANDUM
STATE OF TEXAS
OFFICE OF THE GOVERNOR

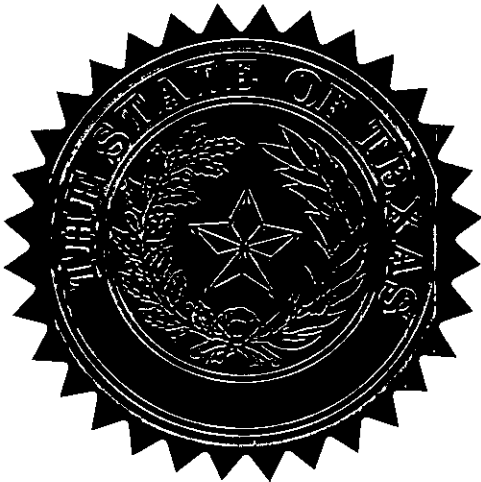
MESSAGE

I am allowing House Bill No. 3114, Senate Bill No. 161, Senate Bill No. 285, and Senate Bill No. 1495 to become law without my signature. I would note that many of the legislators who have vigorously opposed the rising cost of tuition since its deregulation voted for these fee increases, which in some cases will substantially increase the cost of education.

These bills create intercollegiate athletic fees designed to develop and maintain athletics programs at various institutions. I support the students' desires to have intercollegiate athletics programs on their campuses; however, there are other funding sources available to institutions of higher education to provide for these activities.

Because students can vote on these fee increases, I am letting these bills become law without my signature. In addition, I would encourage the chairmen of the Senate Finance Committee and House Appropriations Committee to study these fees and their uses prior to the next legislative session to ensure that students are not being charged unnecessarily.

For these reasons, I am allowing Senate Bill No. 161 to become law without my signature.



IN TESTIMONY WHEREOF, I
have signed my name officially
and caused the Seal of the State
to be affixed hereto at Austin,
this 15th day of June, 2007.

Rick Perry
RICK PERRY
Governor of Texas

ATTESTED BY:

Roger Williams
ROGER WILLIAMS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 PM O'CLOCK

JUN 15 2007