

1 AN ACT

2 relating to a fee to support the wellness, recreational, and
3 fitness complex at The University of Texas at Brownsville.

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 Section 54.550 to read as follows:

7 Sec. 54.550. WELLNESS, RECREATIONAL, AND FITNESS COMPLEX
8 FEE; THE UNIVERSITY OF TEXAS AT BROWNSVILLE. (a) The board of
9 regents of The University of Texas System may charge each student
10 enrolled at The University of Texas at Brownsville a wellness,
11 recreational, and fitness complex fee. The amount of the fee may
12 not exceed \$79 per student for each regular semester and \$39.50 per
13 student for each term of the summer session.

14 (b) The board may:

15 (1) use revenue from the fee only to finance,
16 construct, operate, maintain, renovate, or improve a wellness,
17 recreational, and fitness complex owned by Texas Southmost College
18 and used by the partnership of The University of Texas at
19 Brownsville and Texas Southmost College under Section 78.02; and

20 (2) pledge revenue from the fee to pay an obligation
21 issued for a purpose authorized by Subdivision (1) under the
22 revenue financing system of The University of Texas System.

23 (c) The board shall deposit revenue from the fee to the
24 credit of an account known as The University of Texas at Brownsville

1 wellness, recreational, and fitness complex fee account. Money in
2 the 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 (d) The board may not increase the amount of the fee by more
6 than 10 percent in any academic year unless the amount of the
7 increase is approved by:

8 (1) a majority vote of the students participating in a
9 general student election held at the institution for that purpose;
10 and

11 (2) a majority of the members of the legislative body
12 of the student government of the institution.

13 (e) A fee charged under this section is in addition to any
14 other fee the board is authorized by law to charge.

15 (f) Subject to the limitations of this section on the amount
16 of the fee and any increase in the amount of the fee, the fee charged
17 under this section must be in the same amount as the wellness,
18 recreational, and fitness complex fee charged a student at Texas
19 Southmost College by the board of trustees of Southmost Union
20 Junior College District. A student attending either or both
21 institutions may be charged a wellness, recreational, and fitness
22 complex fee by only one of the institutions.

23 (g) The board of trustees of the Southmost Union Junior
24 College District may pledge revenue from a fee imposed under this
25 section, whether received directly from a student or from The
26 University of Texas at Brownsville, under terms of the partnership
27 agreement between The University of Texas at Brownsville and Texas

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

12 SECTION 2. This Act applies beginning with the 2005 fall
13 semester.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2005.

David Swihart

President of the Senate

Jim Coddick

Speaker of the House

I certify that H.B. No. 1063 was passed by the House on April 7, 2005, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Robert Heney
Chief Clerk of the House

I certify that H.B. No. 1063 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Daisy Grew
Secretary of the Senate

APPROVED:

18 JUNE '05

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 A.M. CLOCK
JUN 18 2005
Roger Williams
Secretary of State