

## **BILL ANALYSIS**

C.S.H.B. 671  
By: Clardy  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Stephen F. Austin State University, interested parties note, is a member of an athletics conference that participates in National Collegiate Athletic Association athletic events despite not being aided by an athletics fee. According to the parties, the university is the only Texas school in the conference in this specific situation and is struggling to keep up as a result. An athletics fee, the parties continue, has the support of the university's board of regents and its student government. C.S.H.B. 671 seeks to provide for an intercollegiate athletics fee at Stephen F. Austin State University.

### **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**

C.S.H.B. 671 amends the Education Code to authorize the board of regents of Stephen F. Austin State University to charge each student enrolled at the university an intercollegiate athletics fee in an initial amount capped at \$10 per semester credit hour for each semester or summer session and to prorate the amount of the fee for a summer session. The bill authorizes the fee amount to be increased only as provided by the bill. The bill requires a student enrolled in more than 15 semester credit hours to pay the fee in an amount equal to that imposed on a student enrolled in 15 semester credit hours during the same semester or session. The bill limits the use of revenue from the fee to financing, constructing, operating, maintaining, or improving an athletic facility or for operating an intercollegiate athletics program at the university. The bill prohibits the fee from being charged unless approved by a majority vote of the students enrolled at the university who participate in a general student election held for that purpose.

C.S.H.B. 671 authorizes the amount of the fee to be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the university's student government. The bill requires the university's chief fiscal officer to collect the fee and to deposit the revenue from the fee in an account to be known as the intercollegiate athletics fee account. The bill specifies that the fee is not considered in determining the maximum amount of student services fees that may be charged each student enrolled at the university.

## EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 671 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5202 to read as follows:

Sec. 54.5202. INTERCOLLEGIATE ATHLETICS FEE; STEPHEN F. AUSTIN STATE UNIVERSITY. (a) The board of regents of Stephen F. Austin State University may charge each student enrolled at the university an intercollegiate athletics fee in an amount not to exceed \$10 per semester credit hour for each semester or summer session.

(b) The board of regents may prorate the amount of the fee for a summer session.

(c) A student enrolled in more than 15 semester credit hours shall pay the fee in an amount equal to the amount imposed on a student enrolled in 15 semester credit hours during the same semester or session.

(d) Revenue from the fee charged under this section may be used only for financing, constructing, operating, maintaining, or improving an athletic facility or for operating an intercollegiate athletics program at the university.

(e) The fee may not be charged unless approved by a majority vote of the students enrolled at the university who participate in a general student election held for that purpose.

(f) The amount of the fee per semester credit hour may be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(g) The chief fiscal officer of the university shall collect the fee and shall deposit the

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5202 to read as follows:

Sec. 54.5202. INTERCOLLEGIATE ATHLETICS FEE; STEPHEN F. AUSTIN STATE UNIVERSITY. (a) The board of regents of Stephen F. Austin State University may charge each student enrolled at the university an intercollegiate athletics fee in an **initial** amount not to exceed \$10 per semester credit hour for each semester or summer session. **The amount of the fee may be increased only as provided by Subsection (f).**

(b) The board of regents may prorate the amount of the fee for a summer session.

(c) A student enrolled in more than 15 semester credit hours shall pay the fee in an amount equal to the amount imposed on a student enrolled in 15 semester credit hours during the same semester or session.

(d) Revenue from the fee charged under this section may be used only for financing, constructing, operating, maintaining, or improving an athletic facility or for operating an intercollegiate athletics program at the university.

(e) The fee may not be charged unless approved by a majority vote of the students enrolled at the university who participate in a general student election held for that purpose.

(f) The amount of the fee per semester credit hour may be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(g) The chief fiscal officer of the university shall collect the fee and shall deposit the

revenue from the fee in an account to be known as the intercollegiate athletics fee account.

(h) A fee charged under this section is not considered in determining the maximum amount of student services fees that may be charged each student enrolled at the university under Section 54.503.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

revenue from the fee in an account to be known as the intercollegiate athletics fee account.

(h) A fee charged under this section is not considered in determining the maximum amount of student services fees that may be charged each student enrolled at the university under Section 54.503.

SECTION 2. Same as introduced version.