

BILL ANALYSIS

Senate Research Center

S.B. 256
By: Estes
Higher Education
8/14/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Midwestern State University (MSU) intercollegiate athletics is funded through gifts, gate receipts, advertising income, student service fee income, and local tuition. During the 2007-2008 academic year, a group of MSU students recognized the need for an intercollegiate athletics fee and advocated for such to the MSU Student Government Association (SGA). The SGA found that over one-half of the 35 Texas public universities have legislative authority to assess a fee to support intercollegiate athletics. With approximately \$500,000 of student fee funds being used to support athletics each year, students were interested in a new fee that would release current funding to be used for a growing need of student services, while not taking much-needed funding for athletics.

The approval of an intercollegiate athletics fee for MSU would not only provide funding to address Title IX gender equity issues and facilities upgrades, but would also supplement funding in the Academic Support Center for advising and tutoring services. As previously indicated, this new fee will release approximately \$500,000 of student services fee funds to support additional, needed student services.

In January 2008, the MSU student body voted 75 percent in favor of a referendum to create an intercollegiate athletics fee of \$10 per semester credit hour, up to a maximum of \$120 per semester.

S.B. 256 relates to an intercollegiate athletics fee at MSU.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 54, Education Code, by adding Section 54.5442, as follows:

Sec. 54.5442. INTERCOLLEGIATE ATHLETICS FEE; MIDWESTERN STATE UNIVERSITY. (a) Authorizes the board of regents of Midwestern State University (board) to charge each student enrolled at Midwestern State University (MSU) an intercollegiate athletics fee in an amount that, except as authorized under Subsection (d), may not exceed the lesser of \$10 per semester credit hour or \$120 for each regular semester or each summer session of more than six weeks, or \$60 for each summer session of six weeks or less.

(b) Prohibits the fee from being charged unless approved by a majority vote of the students enrolled at MSU who participate in a general student election held for that purpose.

(c) Authorizes the fee to be used only to develop and maintain an intercollegiate athletics program at MSU.

(d) Authorizes the board to increase the amount of the fee for a semester or summer session in excess of the applicable amount provided by Subsection (a) if

the increase is approved by a majority vote of the students enrolled at MSU who participate in a general student election called for that purpose, or does not exceed 10 percent of the amount of the fee charged for the same semester or summer session in the preceding academic year.

(e) Requires the chief fiscal officer of MSU to collect the fee and deposit the revenue from the fee in an account to be known as the MSU intercollegiate athletics fee account.

(f) Provides that the fee is not considered in determining the maximum amount of student services fees that may be charged under Section 54.503 (Student Services Fees).

(g) Prohibits a fee from being charged after the fifth academic year in which the fee is first charged unless, before the end of that academic year, the institution of higher education has issued bonds payable from the fee, in which event the fee may not be charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.