

## **BILL ANALYSIS**

Senate Research Center

H.B. 258  
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S/C on Higher Education  
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Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The University of Texas-Pan American (UTPA) is located in Edinburg, Texas. UTPA serves an area of Texas facing many socio-economic challenges. Among these challenges is the limited awareness of the issues and factors affecting personal health and wellness. With those issues in mind, UTPA's vice president for enrollment and student services began exploring the possibility of creating a new wellness-recreation center about two years ago. The Student Government Association voted to support the exploration of constructing such a center. In the fall of 2003, a task force of students, faculty, and staff was appointed to research the issue and develop a recommendation. The Wellness-Recreation task force surveyed more than 600 students and toured five newly constructed recreation centers. Task force members learned how a quality wellness-recreation center could facilitate the development of a healthier lifestyle; in addition, task force members saw first-hand how a new center could serve as a focal point for students and transform campus life. As a result, the task force voted unanimously to recommend the creation of a fee not to exceed \$75 per semester to fund the planning, construction, and maintenance of a wellness-recreation center at UTPA. This fee would allow the university to build a center approximately 100,000 square feet in size, at a cost of \$20-24 million. After meeting with many student organizations and holding two campus forums, the referendum was held March 29-April 1. With more than 1,600 students voting, an overwhelming majority of students (86.5 percent) voted in favor of creating the wellness-recreation center.

A new wellness-recreation center at UTPA can promote the development of a healthier, more active lifestyle that will benefit students for the rest of their lives. UTPA currently has some recreation and fitness facilities, but these facilities are limited both in terms of resources and availability. Because these facilities also are used to meet Athletics and Kinesiology Department needs, students who want to exercise or engage in other recreation activities are left with few hours to do so. In fact, UTPA's recreational facilities are open to students only 18 hours per week, which is fewer than UT-Austin's facilities are open each day. In general, most universities the size of UTPA have their fitness facilities open approximately 100 hours per week.

H.B. 258 allows UTPA to construct a wellness facility from funds approved by the general student body.

### **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 54.5421, as follows:

Sec. 54.5421. SPORTS RECREATION AND WELLNESS FACILITY FEE; THE UNIVERSITY OF TEXAS--PAN AMERICAN. (a) Authorizes the board of regents (board) of The University of Texas System to charge each student enrolled at The University of Texas--Pan American (UTPA) a sports recreation and wellness facility fee to finance, construct, operate, maintain, or improve sports recreation and wellness programs and facilities at UTPA. Prohibits the amount of the fee from exceeding \$75 for each semester of the regular term or for each summer session.

- (b) Prohibits the fee from being imposed unless the fee is approved by a majority vote of those students voting in a general student election called for that purpose.
- (c) Prohibits the board from increasing the amount of the fee from one academic year to the next unless the amount of the increase is approved by a majority vote of those students voting in a general student election called for that purpose.
- (d) Requires the board to deposit the revenue from the fee in an account known as UTPA sports recreation and wellness facility account.
- (e) Authorizes the board to pledge revenue from the fee to pay obligations issued pursuant to the revenue financing system of The University of Texas System.
- (f) Prohibits a fee imposed under this section from being considered in determining the maximum amount of student services fees that may be charged under Section 54.503.
- (g) Authorizes the board to permit a person who is not enrolled at UTPA to use a facility financed with revenue from a fee imposed under this section if certain conditions apply.

SECTION 2. Effective date: upon passage or the 91st day after adjournment.