

## BILL ANALYSIS

Senate Research Center

C.S.S.B. 1138  
By: Estes  
S/C on Higher Education  
4/5/2005  
Committee Report (Substituted)

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

Current recreational facilities at Midwestern State University are not sufficient for the needs of the growing university. The university's board of regents has authorized the imposition of a fee to construct a new recreational and health facility and 82 percent of the student body voted in favor of the projects.

The student recreational and health facility project will provide a center of recreation and total wellness. The facility, to be located overlooking Sikes Lake, will provide space for various activities including a rock climbing wall, an indoor elevated walking and running track, racquetball courts, and basketball courts as well as a state-of-the-art weight and cardio facility. A 7,500 square foot health center will provide necessary space for expanded medical services to students. Other amenities of the project include an outdoor adventure center, basketball courts, and a picnic area for students.

C.S.S.B. 1138 authorizes the board of regents of Midwestern State University to charge a health facilities fee of no more than \$130 each semester or summer session of longer than six weeks or \$65 per summer session of six weeks or less for a new health and wellness facility on campus. It also prohibits the fee from being increased more than 10 percent from one academic year to the next unless the increase has been approved by a majority vote of those students participating in a general student election called for that purpose.

### 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 54.5441, as follows:

Sec. 54.5441. RECREATIONAL AND HEALTH FACILITIES FEE; MIDWESTERN STATE UNIVERSITY. (a) Authorizes the board of regents (board) of Midwestern State University, beginning with the 2007 spring semester, to charge each student registered at the university a recreational and health facilities fee not to exceed \$130 for each semester of the regular term or summer session of longer than six weeks or longer and not to exceed \$65 for each summer session of less than 6 weeks.

(b) Prohibits the recreational and health facilities fee authorized by this section from being increased more than 10 percent from one academic year to the next unless the increase has been approved by a majority vote of those students participating in a general student election called for that purpose. Prohibits the fee from exceeding the amounts provided by Subsection (a).

(c) Requires the chief fiscal officer of the university to collect any recreational and health facilities fee imposed under this section and to deposit the money collected in an account to be known as the student recreational and health facilities account.

(d) Provides that a recreational and health facilities fee imposed under this section is not counted in determining the maximum student services fee that may be charged under Section 54.503 (Student Services Fees).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.