

## **BILL ANALYSIS**

Senate Research Center  
81R1418 KJM-F

S.B. 256  
By: Estes  
Higher Education  
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As Filed

### **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 Midwestern State University 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.

As proposed, S.B. 256 implements a new student athletics fee at Midwestern State University to support financing, constructing, operating, renovating, and maintaining athletic facilities and programs

### **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 (MSU) to charge each student enrolled at the university an intercollegiate athletics fee in an amount not to 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) Authorizes the fee to be used only to develop and maintain an intercollegiate athletics program at MSU.

(c) Prohibits the amount of the fee from being increased by more than 10 percent from one academic year to the next unless the increase has been approved by a majority vote of the students enrolled at MSU who participate in a general election called for that purpose.

(d) 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.

(e) 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).

SECTION 2. Makes application of this Act prospective.

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