

## **BILL ANALYSIS**

Senate Research Center

S.B. 473  
By: Estes  
Higher Education  
9/22/2009  
Enrolled

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

Currently, the University of North Texas (UNT) football team plays at Fouts Field, which holds 20,000 spectators while UNT has more than 30,000 students. Additionally, Fouts Field is 56 years old and not up to date on disability accommodations and National Collegiate Athletic Association lighting regulations.

In October, 2008, UNT students approved a campus ballot measure supporting the initiation of an intercollegiate athletics fee not to exceed to \$10 per semester credit hour, and capped at \$150 per semester, passed with 58 percent voting in favor. This fee will not be collected until the new football stadium is constructed and available for use by the student body.

Under state law, no state funds can be used for athletics construction and student fee contributions can only cover 50 percent of the total, which requires the other 50 percent to come from private donors.

S.B. 473 amends current law relating to an intercollegiate athletics fee at UNT.

### **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 54.5191, as follows:

Sec. 54.5191. INTERCOLLEGIATE ATHLETICS FEE; UNIVERSITY OF NORTH TEXAS. (a) Authorizes the board of regents of the University of North Texas System to charge each student enrolled at the University of North Texas (UNT) an intercollegiate athletics fee in an amount not to exceed \$10 per semester credit hour for each semester or summer session.

(b) Requires a student enrolled in more than 15 semester credit hours to 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.

(c) Prohibits the fee from being charged before the first semester a new football stadium is available for use at UNT.

(d) Requires that if compulsory student services fees are charged to students enrolled at UNT under Section 54.503 (Student Service Fees), the total amount of those fees charged to a student be reduced by \$3 per semester credit hour for the first semester in which an intercollegiate athletics fee is charged under this section.

(e) Authorizes revenue from the fee charged under this section to be used only for financing, constructing, operating, maintaining, or improving an athletic facility or for operating an intercollegiate athletics program at UNT.

(f) Prohibits the fee from being charged unless approved by a majority vote of the students enrolled at UNT who participate in a general student election held for that purpose. Requires that the ballot for the election to approve the fee state a maximum amount of the fee that may be charged per semester credit hour, not to exceed the maximum amount prescribed by Subsection (a).

(g) Prohibits the amount of the fee from increasing to an amount that exceeds by 10 percent or more the amount of the fee as last approved by a student vote under Subsection (f) or this subsection unless the increase has been approved by a majority vote of the students enrolled at UNT who participate in a general student election held for that purpose.

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

(i) Provides that 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 UNT under Section 54.503.

(j) Prohibits the 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 university has issued bonds payable from the fee, in which event the fee is prohibited from being charged after the academic year in which all such bonds, including refunding bonds for those bonds, have been fully paid.

SECTION 2. Effective date: upon passage or September 1, 2009.