

BILL ANALYSIS

Senate Research Center
83R23094 AED-D

H.B. 3792
By: Coleman (Ellis)
Higher Education
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2009, the legislature passed H.B. 4501, which authorized Texas Southern University (TSU) to charge an intercollegiate athletics fee up to \$10 per semester credit hour for the purpose of development and maintenance of intercollegiate athletic programs. H.B. 4501 provided that the fee could not be imposed unless the fee was approved by a majority of the students voting in an election held for that purpose or by a majority of the student government of the institution.

H.B. 4501 also prohibited the fee from being charged after the fifth academic year unless, before the end of that academic year, TSU had issued bonds payable in whole or in part from the fee, in which event the fee would be prohibited from being charged after the academic year in which all such bonds, including refunding bonds for those bonds, had been fully paid. This provision was to ensure that future classes were not forced to pay a fee that the original class authorized. Because the fee requested by TSU was never intended for construction, TSU has never issued any bonds. Therefore, H.B. 4501 required TSU to discontinue the collection of said fees unless a reauthorization to collect the fee is granted by the state.

The fee that is to be discontinued as set forth in H.B. 4501 was approved by the students and it currently generates \$2,363,158—about 30 percent of the overall athletic budget. Most of the revenue generated by the fee has been used to strengthen compliance in the athletic program and for academic enhancement. Since the fee was first collected in 2009, graduation rates for student athletes have increased from 26 percent, which was among the nation's lowest, to 46 percent, and is expected to reach 62 percent in two years.

H.B. 3792 authorizes Texas Southern University to continue charging this fee if the university holds an election for this purpose and a majority of the students approve such fee.

H.B. 3792 amends current law relating to the intercollegiate athletics fee at Texas Southern University.

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 Section 54.5223, Education Code, by adding Subsection (h), to provide that this section (Intercollegiate Athletics Fee: Texas Southern University) expires on the next September 1 that follows the fifth anniversary of the effective date of the most recent act of the legislature amending or reenacting this section unless the legislature reenacts this section before that date.

SECTION 2. Effective date: September 1, 2013.