

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1205
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Higher Education
4/16/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 1205 reauthorizes the continued collection of an environmental service fee at Texas public universities. This voluntary "green fee" may only be used to provide select environmental improvements at a university or provide matching funds for grants to obtain environmental improvements.

Collection of such a fee was originally authorized by H.B. 3355, 81st Legislature, Regular Session, 2009, which provided that a university may charge each student an environmental fee if the fee is first approved by a majority vote of the students. The fee is capped by statute and cannot be increased without a subsequent majority vote of the students.

Universities that began collecting the fee established mixed student and faculty planning committees, which have found successful, innovative ways to invest resulting funds in projects promoting renewable energy, sustainability practices, resource conservation, and educational opportunities on participating campuses.

The original legislation authorizing these green fees provided that fees may not be charged after the fifth academic year in which the fee is first charged. Because the authorization will soon expire for some universities currently collecting the fee, a statutory change is required to continue that authority.

C.S.S.B. 1205 provides that the fee may not be charged after the fifth academic year in which the fee is first charged unless the continuation of the fee is approved every five years by a majority vote of the students.

C.S.S.B. 1205 amends current law relating to an environmental service fee charged by an institution of higher education.

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 54.5041(h), Education Code, as follows:

(h) Prohibits the environmental services fee at public institutions of higher education (fee) from being charged after the fifth academic year in which the fee is first charged unless:

(1) the institution has issued bonds payable in whole or in part 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; or

(2) the continuation of the fee is approved every five years by a majority vote of the students enrolled at the institution who participate in a general student election called for that purpose.

Makes a nonsubstantive change.

SECTION 2. Effective date: upon passage or September 1, 2015.