

## **BILL ANALYSIS**

Senate Research Center  
86R6601 SOS-F

H.B. 1439  
By: Pacheco et al. (Flores)  
Higher Education  
5/10/2019  
Engrossed

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

Currently, Texas A&M University--San Antonio has approximately 50 acres available for development. The university would like to utilize their space by competing in the Red River Athletic Conference as part of the National Association of Intercollegiate Athletics, which is similar to the National Collegiate Athletic Association. The sports the university would like to implement are women's soccer, men's soccer, women's softball, and men's golf.

In spring 2019, the Student Government Association (SGA) hosted four separate athletics forums to present the proposal and solicit student feedback on the introduction of an athletics fee. The SGA has also participated in several tabling events to share information related to adding athletics. The athletic fee referendum vote will take place March 18th - 22nd.

However, the creation and maintenance of necessary facilities for these sports would require an athletics fee. The Texas A&M University System lacks the authority to impose an athletics fee. H.B. 1439 seeks to provide Texas A&M University--San Antonio with the resources necessary to develop and maintain an intercollegiate athletics program.

H.B. 1439 amends current law relating to the intercollegiate athletics fee at Texas A&M University--San Antonio, and authorizes a fee.

### **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 54.53971, as follows:

Sec. 54.53971. INTERCOLLEGIATE ATHLETICS FEES; TEXAS A&M UNIVERSITY--SAN ANTONIO. (a) Authorizes the board of regents of The Texas A&M University System (board) to impose on each student enrolled at Texas A&M University--San Antonio an intercollegiate athletics fee in an amount not to exceed \$10 per semester credit hour for each regular semester or summer session unless the amount of the fee is increased as provided by Subsection (c).

(b) Prohibits the fee from being imposed unless approved by a majority vote of the students of the university who participate in a general student election held for that purpose.

(c) Authorizes the amount of the fee per semester credit hour to be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(d) Requires a student enrolled in more than 12 semester credit hours to pay the fee in an amount equal to the amount imposed on a student enrolled in 12 semester credit hours during the same semester or session.

(e) Authorizes a fee imposed under this section to be used to develop and maintain an intercollegiate athletics program at the university.

(f) Provides that a fee imposed under this section is in addition to any other fee authorized by law and is prohibited from being considered in determining the amount of student services fees that may be imposed under Section 54.503 (Student Services Fees).

SECTION 2. Provides that this Act applies beginning with the 2019 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2019.