

CHAPTER 292

S.B. No. 216

An Act relating to the power of governing boards of institutions of higher education to fix the rate of incidental student fees; adding a new Section 54.504 and repealing Section 65.44, Education Code; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 54, Texas Education Code, is amended by adding a new Section 54.504 to read as follows:

“Section 54.504. INCIDENTAL FEES. (a) The governing board of an institution of higher education may fix the rate of incidental fees to be paid to an institution under its governance by students and prospective students and may make rules for the collection of the fees and for the distribution of the funds, such funds to be accounted for as other designated funds. The rate of an incidental fee must reasonably reflect the actual cost to the university of the materials or services for which the fee is collected. In fixing such rate, the governing board may consult with a student fee advisory committee which the governing board may establish if such student committee does not presently exist.

“(b) The board shall publish in the general catalog of the university a description of the amount of each fee to be charged.

“(c) In this section, ‘incidental fees’ includes, without limitation, such fees as late registration fees, library fines, microfilming fees, thesis or doctoral manuscript reproduction or filing fees, bad check charges, application processing fees, and laboratory breakage charges, but does not include a fee for which a governing board makes a charge under the authority of any other provision of law.”

SECTION 2. Section 65.44, Education Code, is repealed.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on February 18, 1985, by a viva-voce vote; passed the House on May 16, 1985, by a non-record vote.

Approved: June 7, 1985

Effective: August 26, 1985