

CHAPTER 327

S.B. No. 150

AN ACT

relating to the student use fee at Tarleton State University.

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

SECTION 1. Section 55.16, Education Code, is amended to read as follows:

Sec. 55.16. RENTALS, RATES, CHARGES, AND FEES. [(a)] Each board shall be authorized to fix and collect rentals, rates, charges, and/or fees from students and others for the occupancy, services, use, and/or availability of all or any of its property, buildings, structures, activities, operations, or other facilities, in such amounts and in such manner as may be determined by the board; provided, however, that all student use fees shall be fixed and collected in proportion to the number of semester credit hours for which a student registers, and shall not exceed \$12 per semester hour, except that those schools charging more than \$6 per semester hour as of May 1, 1975, shall not exceed the amount being charged as of that date[, and except as provided by Subsection (b) of this section]. The board may waive all or any part of any such student use fees in the case of any student for whom the payment of such student use fee would cause an undue economic hardship, except that the number of such students for whom such waivers are granted shall not exceed 5% of the total enrollment; and further provided that nothing in this section shall affect, limit, or impair any pledge, covenant, or option made or reserved by the board with respect to any revenue bonds outstanding as of the 1975 amendment to this section, issued by the board pursuant to this chapter; and provided that hereafter if bonds are issued pursuant to Section 55.17 of this code, to be secured by a pledge of a limited or unlimited use fee, and if, at the time of authorizing the issuance of the bonds, (1) the estimated maximum amount per semester hour of such pledged use fee (based on then current enrollment and conditions) during any future semester necessary to provide for the payment of the principal of and interest on the bonds when due, together with (2) the aggregate amount of all use fees which were levied on a semester hour basis for the then current semester to pay the principal of and interest on all previously issued bonds, do not exceed \$12 per semester hour, [~~except as provided by Subsection (b) of this section,~~] then such limited or unlimited use fee shall be levied and collected when and to the extent required by the resolution authorizing the issuance of the bonds in any amount required to provide for the payment of the principal of and interest on the bonds, regardless of any other provision of this section or the limitations contained herein.

[~~(b) If approved by student vote as provided by this subsection, for students enrolled at Tarleton State University, the board of regents of The Texas A&M University System may set the student use fee authorized under Subsection (a) of this section in an amount not to exceed \$12 per semester hour. The fee increase may not be imposed unless the increase has been approved by a majority of those students voting on the issue in a general student election in which the issue is presented.~~]

SECTION 2. Section 55.16, Education Code, as amended by this Act, applies only to student use fees at Tarleton State University that become due beginning with the fall semester in 1993. Student use fees at Tarleton State University that became due before that semester are governed by the law in effect at the time those fees were due, and that law is continued in effect for this purpose only.

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, and that this Act take effect and be in force from and after its passage. and it is so enacted.

Passed the Senate on February 16, 1993: Yeas 31, Nays 0; passed the House on May 18, 1993: Yeas 146, Nays 0, two present not voting.

Approved May 29, 1993.

Effective May 29, 1993.