

CHAPTER 901

H.B. No. 1831

AN ACT

relating to the collection of certain fees, charges, and deposits by institutions of higher education and accounting for certain income as educational and general funds.

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

SECTION 1. Section 54.006, Education Code, is amended to read as follows:

Sec. 54.006. REFUND OF TUITION AND FEES. (a) A general academic teaching institution or medical and dental unit shall refund applicable tuition and fees collected for courses from which students drop within the first 12 days of a fall or spring semester or within the first four days of a summer term, provided the student remains enrolled at the institution for that semester or term. Refunds for courses dropped by a student who later in the semester or term withdraws from the institution are calculated according to the percentage schedules in Subsections (b) or (c) of this Act. *An institution may assess a nonrefundable \$15 matriculation fee if the student withdraws from the institution before the first day of classes.*

(b) A general academic teaching institution or medical and dental unit shall refund a percentage of collected tuition and mandatory fees to students withdrawing from the institution during a fall or spring semester or comparable trimester if such are in effect according to the following withdrawal schedule and subject to the provisions of Subsection (a) of this section ~~[(d) below]~~:

(1) prior to the first class day	100 percent
(2) during the first five class days	80 percent
(3) during the second five class days	70 percent
(4) during the third five class days	50 percent
(5) during the fourth five class days	25 percent
(6) after the fourth five class days	None

Separate withdrawal refund schedules may be established for optional fees such as intercollegiate athletics, cultural entertainment, parking, and yearbooks.

(c) A general academic teaching institution or medical and dental unit shall refund a percentage of collected tuition and mandatory fees to students withdrawing from the institution during a summer term according to the following withdrawal schedule and subject to the provisions of Subsection (a) of this section ~~[(d) below]~~:

(1) prior to the first class day	100 percent
(2) during the first, second, or third class day	80 percent
(3) during the fourth, fifth, or sixth class day	50 percent
(4) seventh day of class and thereafter	None

Separate withdrawal refund schedules may be established for optional fees such as intercollegiate athletics, cultural entertainment, parking, and yearbooks.

~~[(d) A general academic teaching institution or medical and dental unit may assess up to \$15 as a matriculation fee if the student withdraws from the institution before the first day of classes.]~~

(d) ~~[(e)]~~ A general academic teaching institution or medical and dental unit shall refund tuition and fees paid by a sponsor, donor, or scholarship to the source rather than directly to the student who has withdrawn if the funds were made available through the institution.

(e) ~~(f)~~ A general academic teaching institution or medical and dental unit shall terminate student services and privileges, such as health services, library privileges, facilities usage, and athletic and cultural entertainment tickets, when a student withdraws from the institution.

SECTION 2. Section 54.501, Education Code, is amended to read as follows:

Sec. 54.501. LABORATORY FEES. (a) An institution of higher education *shall set* ~~may make~~ and collect a laboratory charge in an amount sufficient to cover in general the cost of laboratory materials and supplies used by a student. For an institution other than a public junior college, the laboratory charge shall be not less than \$2 nor more than \$30 ~~[\$8]~~ for any one semester or summer term for any student in any one laboratory course, but shall not exceed the cost of actual materials and supplies used by the student. For a public junior college, the laboratory charge shall be not more than \$24 for any one semester or summer term for any student in any one laboratory course, but shall not exceed the cost of actual materials and supplies used by the student.

(b) *Laboratory fees collected by an institution under this section shall be accounted for as educational and general funds.*

SECTION 3. Section 54.502, Education Code, is amended to read as follows:

Sec. 54.502. GENERAL PROPERTY DEPOSITS. (a) An institution of higher education *shall* ~~may~~ collect a reasonable deposit not to exceed \$10 from each student to insure the institution against losses, damages, and breakage in libraries and laboratories. The deposit shall be returned on the withdrawal or graduation of a student, less any loss, damage, or breakage caused by the student.

(b) The medical, ~~and~~ dental, *and allied health* units of The University of Texas System, *the Texas College of Osteopathic Medicine, the Texas Tech University Health Sciences Center, and The Texas A&M University College of Medicine* shall collect a breakage or loss deposit no greater than \$30.

SECTION 4. Section 51.052, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.5021 ~~[51.052]~~. STUDENT DEPOSIT FUND; COMPOSITION AND USES. (a) The student deposit fund consists of the income from the investment or time deposits of general property deposits and of forfeited general property deposits. Any general property deposit which remains without call for refund for a period of four years from the date of last attendance of the student making the deposit shall be forfeited and become a part of the student deposit fund. Nothing in this section shall be construed to prohibit refund of any balance remaining in a general property deposit when made on proper demand and within the four-year limitation period. The board may require that no student withdraw his deposit until he has been graduated or has apparently withdrawn from school.

(b) The student deposit fund shall be used, at the discretion of the board, for any of the following purposes: making scholarship awards to needy and deserving students, the support of a general student union program, or for the establishment of an institutional loan program for students. Loans made under this subsection shall bear a nominal interest rate, be secured by a promissory note from the student to the loan fund, require no collateral, and be of a duration not more than 12 months. A student obtaining a loan under this subsection may have no more than two such loans outstanding at any time. The board shall administer the scholarship awards for the institution, including the selection of recipients and the amounts and conditions of the awards. The recipients of the scholarships must be residents of the state as defined for tuition purposes. Any use of the funds for the support of student union programs shall be approved as to amount and purpose by the board. The student deposit funds for The University of Texas at Austin, Texas A & M University, and Texas Tech University shall be available for scholarship purposes only. Direct expenses for the administration of the funds shall be paid from the funds.

SECTION 5. Section 51.051, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.5022 [51.051]. INVESTMENT OF GENERAL PROPERTY DEPOSITS. The governing board of each institution of higher education may invest in United States government securities or may place on time deposit with a bank located in the state not more than 85 percent of the funds received as general property deposits authorized in Section 54.502 of this code. If the funds are placed on time deposit, they shall be secured by United States government securities.

SECTION 6. Section 54.503, Education Code, is amended to read as follows:

Sec. 54.503. STUDENT SERVICES FEES. (a) For the purposes of this section:

(1) "Student[, "student] services" means activities which are separate and apart from the regularly scheduled academic functions of the institution and directly involve or benefit students, including textbook rentals, recreational activities, health and hospital services, medical services, [~~automobile parking privileges,~~] intramural and intercollegiate athletics, artists and lecture series, cultural entertainment series, debating and oratorical activities, student publications, student government, and any other student activities and services specifically authorized and approved by the governing board of the institution of higher education. The term does not include services for which a fee is charged under another section of this code.

(2) "Compulsory fee" means a fee that is charged to all students enrolled at the institution.

(3) "Voluntary fee" means a fee that is charged only to those students who make use of the student service for which the fee is established.

(b) The governing board of an institution of higher education may charge and collect from students registered at the institution fees to cover the cost of student services. The fee or fees may be either voluntary or compulsory as determined by the governing board. The total of all compulsory student services fees collected from a student at an institution of higher education other than the University of Texas at Austin for any one semester or summer session shall not exceed \$90. All compulsory student services fees charged and collected under this section by the governing board of an institution of higher education, other than a public junior college, shall be assessed in proportion to the number of semester credit hours for which a student registers. *No portion of the compulsory fees collected may be expended [fee] for parking [services or] facilities or services, except as related to providing shuttle bus services [may be levied on a student unless the student desires to use the parking facilities provided].*

(c) [~~The governing board may fix and collect a reasonable fee or fees for the enforcement and administration of parking or traffic regulations approved by the board for the institution.~~]

[(d)] The provisions of this section do not affect the building use fees or other special fees authorized by the legislature for any institution for the purpose of financing revenue bond issues.

(d) [(e)] All money collected as student services fees shall be reserved and accounted for in an account or accounts kept separate and apart from educational and general funds of the institution and shall be used only for the support of student services. All the money shall be placed in a depository bank or banks designated by the governing board and shall be secured as required by law. Each year the governing board shall approve for the institution a separate budget for student activities and services financed by fees authorized in this section. The budget shall show the fees to be assessed, the purpose or functions to be financed, the estimated income to be derived, and the proposed expenditures to be made. Copies of the budgets shall be filed annually with the coordinating board, the governor, the legislative budget board, the state auditor, and the state library.

(e) [(f)] The governing board may waive all or part of any compulsory fee or fees authorized by this section in the case of any student for whom the payment of the fee would cause an undue financial hardship, provided the number of the students does not exceed 10 percent of the total enrollment. The board may limit accordingly the participation of a student in the activities financed by the fee so waived.

(f) [(g)] Prior to recommending the student fee budget to the governing board, the president of each institution shall duly consider the recommendations of a student fee

advisory committee. A majority of the committee's members shall be students enrolled in the institution and appointed by the student governing body of the institution or elected by a majority of students enrolled in the institution voting in an election held for that purpose. Other committee members from the staff and faculty may be included and selected as the president sees fit. The regents may duly consider the matter of raising student fees in open meeting. Along with his own recommendations, the president may make known to the Board of Regents the student fee committee's recommendations. *If the president's recommendations to the board are substantially different from the student fees advisory committee's recommendations to the institution's administration, the administration shall notify the student fees advisory committee. The notice shall be given as soon as practicable, to provide the committee sufficient time to request that the committee be included on the agenda of the board's meeting at which the president's recommendations are to be considered and be permitted to comment on the committee's recommendations to the administration.* If the decision of the board differs from that of the student fee committee, the president shall ~~may~~ deliver to the student fee committee a written explanation of the board's decision within 30 days of that decision.

(g) *If a student registers at more than one institution of higher education within a college or university system under concurrent enrollment provisions of joint or cooperative programs between institutions, the student shall pay all compulsory student services fees to the institution designated as the home institution under the joint or cooperative program. The governing board of the college or university system may waive the payment of all compulsory student services fees at the other institution or institutions.*

(h) *Except for Subsection (g) of this section, this [This] section does not apply to The University of Texas at Austin.*

SECTION 7. Section 54.505, Education Code, is amended to read as follows:

Sec. 54.505. ~~VEHICLE REGISTRATION FEES AND OTHER FEES RELATED TO PARKING AND TRAFFIC [MANDATORY STUDENT SERVICES FEES IN CASES OF CONCURRENT ENROLLMENT IN MORE THAN ONE INSTITUTION WITHIN PUBLIC SYSTEMS OF HIGHER EDUCATION].~~ (a) ~~The governing board of each institution of higher education may charge a reasonable fee to students, faculty, and staff for registration of a vehicle under Section 51.202 of this code [For the purposes of this section "mandatory student services fees" means health and hospital services, intramural and intercollegiate athletics, student union, shuttle bus service, and any other student activities and services specifically authorized, approved, and mandated by the appropriate governing body, and "concurrent enrollment" means enrollment in joint or cooperative programs involving two or more institutions within a college or university system].~~

(b) ~~The governing board may fix and collect a reasonable fee or fees for the provision of facilities and the enforcement and administration of parking and traffic regulations approved by the board for an institution; provided, however, that no such fee may be charged to a student unless the student desires to use the facilities [When a student registers at more than one public institution of higher education within a college or university system under concurrent enrollment provisions of joint or cooperative programs between said institutions, the student shall pay all mandatory student services fees to the institution designated as the "home institution" under the joint or cooperative program and the governing board may waive the payment of all mandatory student services fees at the other institution(s)].~~

SECTION 8. Section 111.40, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.506 [111.40]. ~~FEES AND CHARGES FOR SERVICES TO THE PUBLIC; REPORTS; THE UNIVERSITY OF HOUSTON SYSTEM.~~ (a) A schedule of minimum fees and charges shall be established by the board of regents of the University of Houston System for services performed by any department of a component institution [the university] for students and the public. The schedule shall conform to the fees and charges customarily made for like services in the community. By way of example, but

not as a limitation, are services of the hearing clinic, optometry clinic, reading clinic, and data processing and computing center.

(b) All fees and compensation derived from performing services shall be reported to the governor and to the Coordinating Board, Texas College and University System, annually, to the legislature at the beginning of each regular session, and to the board as required by it. A brief statement of the firm, society, organization, or association using the facilities and the use made shall be included in each report.

SECTION 9. Section 86.24, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.507 [86.24]. GROUP HOSPITAL FEES; *TEXAS A&M UNIVERSITY*. The Board of *Regents* [~~Directors~~] of the Texas A & M University System may levy and collect from each student at Texas A & M University a compulsory group hospital fee of not to exceed \$15 for each regular semester and not to exceed \$7.50 for each term of each summer session.

SECTION 10. Section 109.52, Education Code, as added by Section 1, Chapter 608, Acts of the 68th Legislature, Regular Session, 1983, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.508 [109.52]. MEDICAL SERVICES FEE; *TEXAS TECH UNIVERSITY*. (a) The board of *regents of Texas Tech University* may charge each student registered at the university a medical services fee not to exceed \$25 for each semester of the regular term or 12-week summer session and not to exceed \$12.50 for each six-week or shorter term of the summer session.

(b) Before charging a medical services fee, the board must give students and administrators an opportunity to offer recommendations to the board as to the type and scope of medical services that should be provided.

(c) A medical services fee charged under this section may be used only to provide medical services to students at the university.

(d) A medical services fee charged under this section is in addition to any other fee the board is authorized by law to charge.

SECTION 11. Section 109.51, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.509 [109.51]. STUDENT RECREATION FEE; *TEXAS TECH UNIVERSITY*. (a) If approved by student vote, the board of *regents of Texas Tech University* may charge each student enrolled in the university a recreation fee not to exceed \$25 per semester or \$12.50 per six-week summer term to be used to purchase equipment for and to operate and maintain the student recreation facilities and programs at the university.

(b) The recreation fee may not be levied unless the levy of the fee is approved and the amount of the fee is set by a majority vote of those students participating in a general student election called for that purpose.

(c) The fee may be changed within the limits specified at any time by a majority of students voting on the issue in a general student election.

(d) The university shall collect the student recreation fee and shall deposit the money collected in an account known as the Student Recreation Account.

(e) The student recreation fee is not counted in determining the maximum student services fee which may be charged under Section 54.503 of this code, as amended.

SECTION 12. Section 67.213, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.510 [67.213]. STUDENT RECREATIONAL SPORTS FEE; *THE UNIVERSITY OF TEXAS AT AUSTIN*. (a) The board of *regents of The University of Texas System* may charge each student enrolled in *The University of Texas at Austin* [~~the university~~] a recreational sports fee not to exceed \$20 a semester or 12-week summer session or \$10 a six-week summer session. The fee may be used only for financing, constructing, operating, maintaining, and improving recreational sports facilities and programs at the university.

(b) A fee may not be imposed under this section until the semester in which a campus recreational sports facility will be available for use.

(c) The university shall collect any student recreational sports fee imposed under this section and shall deposit the money collected in an account to be known as the student recreational sports account. A recreational sports fee may not be collected after the 20th anniversary of the date it is first collected, or after all bonded indebtedness for any campus recreational sports facility for which the fee receipts are pledged is paid, whichever is later.

(d) A student recreational sports fee imposed under this section is not counted in determining the maximum student services fee which may be charged under Section 54.513 [67.211] of this subchapter [code].

SECTION 13. Section 96.42, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.511 [96.42]. STUDENT FEES FOR BUS SERVICE; SOUTHWEST TEXAS STATE UNIVERSITY. (a) The board of regents of the Texas State University System may charge each student enrolled at Southwest Texas State University [the university] a fee initially set at \$10 per semester or \$5 per six-week summer term to be used to finance bus service for students attending the institution.

(b) Not more than once in an academic year, the board may increase the fee authorized in Subsection (a) of this section for the purpose of covering increased operating costs of the bus service. The increase may not exceed \$2 per semester or \$1 per six-week summer term. Any increase in the initial fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(c) The fee for student bus service shall not be counted in determining the maximum student service fees which may be charged pursuant to the provisions of Section 54.503 of this code.

(d) The university shall hold in reserve any fee revenue that exceeds the amount necessary to meet the operating expenses of the bus service and shall apply that revenue only to future operating expenses of the bus service.

SECTION 14. Section 68.05, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.512 [68.05]. SHUTTLE BUS FEE; THE UNIVERSITY OF TEXAS AT ARLINGTON. (a) The board of regents of The University of Texas System may levy a shuttle bus fee not to exceed \$10 per student for each regular semester and not to exceed \$5 per student for each term of the summer session, for the sole purpose of financing shuttle bus service for students attending The University of Texas at Arlington [the institution]. The fees herein authorized to be levied are in addition to any use fee or service fee now or hereafter authorized to be levied. However, no fee may be levied unless the fee is approved by a majority vote of those students participating in a general election called for that purpose.

(b) Such fees shall be deposited to an account known as "The University of Texas at Arlington Shuttle Bus Fee Account" and shall be expended in accordance with a budget submitted to and approved by the board of regents. The board of regents shall make such changes in the budget as it deems necessary before approving the budget, and shall then levy the fees, within the limits herein fixed, in such amounts as will be sufficient to meet the budget as approved.

SECTION 15. Section 67.211, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.513 [67.211]. STUDENT SERVICE FEES; THE UNIVERSITY OF TEXAS AT AUSTIN. (a) In this section:

(1) "student services" includes textbook rentals; recreational activities; health, hospital, and other medical services; group hospitalization; automobile parking privileges; intramural and intercollegiate athletics; artists and lecture series and other cultural entertainment; debating and oratorical activities; student publications; student government; student fees advisory committee; student transportation services; and any other

student activities and services specifically authorized and approved by the board; the term does not include services for which a fee may be charged under the specific authority of any other section of this code;

(2) "compulsory fee" means a fee that is charged to all students enrolled in the university; and

(3) "voluntary fee" means a fee that is charged only to those students who make use of the student service for which the fee is established.

(b) Subject to Section 54.514 ~~[67.212]~~ of this subchapter and subsections (j) and (k) of this section, the board of regents of *The University of Texas System* may charge and collect from students registered at *The University of Texas at Austin* ~~[the university]~~ fees to cover the cost of student services that the board considers necessary or desirable in carrying out the educational functions of the university.

(c) The board may make fees for a particular student service voluntary or compulsory.

(d) Except for fees allocated for hospital and health services, any compulsory fees for student services charged under this section shall be assessed in proportion to the number of semester credit hours for which a student registers.

(e) ~~No portion of the compulsory fees collected may be expended [A fee] for parking services or facilities except as related to providing shuttle bus services [may not be charged to a student unless the student desires to use the parking facilities provided].~~

~~[(f) The board may charge reasonable fees for the enforcement and administration of university parking or traffic regulations approved by the board.]~~

(f) ~~[(g)]~~ Money collected as fees for student services shall be:

(1) reserved and accounted for in an account kept separate from educational and general funds of the university;

(2) used only for the support of student services;

(3) used only after the compulsory fees to be included in the student service fees budget have been considered as provided by Section 54.514 ~~[67.212]~~ of this ~~subchapter~~ ~~[code]~~; and

(4) placed in a depository bank designated by the board and secured as provided by law.

(g) ~~[(h)]~~ Each year the board shall approve for the university a separate budget for student activities and services financed by fees authorized by this section. The budget must show the fees to be assessed, the purpose for which the fees will be used or the functions to be financed, the estimated income to be derived, and the proposed expenditures to be made. Copies of the budget shall be filed annually with the coordinating board, the governor, the Legislative Budget Board, the State Auditor, and the state library.

(h) ~~[(i)]~~ If payment of any compulsory fees authorized by this section would cause an undue financial hardship on a student, the board may waive all or part of the compulsory fees for that student. The number of students granted a waiver under this subsection may not exceed 10 percent of the total enrollment of the university. The board may limit the participation of a student in the activities financed by the fees waived in proportion to the extent of the waiver.

(i) ~~[(j)]~~ If, in an academic year, the total compulsory fees charged under this section are more than 10 percent higher than the previous year's compulsory fees, the increase is not effective unless approved by a majority vote of the students voting in an election held for that purpose or by a majority vote of the duly elected student government.

(j) ~~[(k)]~~ The total of all compulsory fees charged under this section to students for any semester or summer session may not exceed \$100.

(k) ~~[(l)]~~ General revenue funds appropriated for the element of cost "physical plant operation or maintenance" may be used to support the services and activities provided for in this section:

(1) if the service or activity supported from the fees is not intercollegiate athletics or is not also appropriately classified as any other auxiliary enterprise that charges a

fee directly related to the cost of the service under the criteria outlined in *College and University Business Administration*, Fourth Edition (1982), published by the National Association of College and University Business Officers; or

(2) when the service or activity takes place in or on a facility the substantial use of which has been dedicated by the board for educational and general activities.

(1) ~~(m)~~ This section does not affect any special fees, including building use fees, that the legislature has authorized to finance revenue bond issues or any other fees specifically authorized by law.

SECTION 16. Section 67.212, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.514 ~~[67.212]~~. STUDENT FEES ADVISORY COMMITTEE; *THE UNIVERSITY OF TEXAS AT AUSTIN*. (a) The student fees advisory committee is established to advise the administration of *The University of Texas at Austin* ~~[the university]~~ on the type, level, and expenditure of compulsory fees for student services collected at the university under Section 54.513 ~~[67.211]~~ of this subchapter. The administration may also ask the student fees advisory committee to advise the administration of the university on the type, level, and expenditure of voluntary fees for student services collected at the university under Section 54.513 ~~[67.211]~~ of this subchapter. The committee is composed of nine members.

(b) Five of the members of the student fees advisory committee must be student members. The student members must be students who are enrolled in not less than six semester hours at the university and who are generally representative of the student body. If a student government exists, the student members shall be selected by the student government of the university. The student members shall be selected and designated as appropriate so that three student members on the committee are serving terms of two years, and two student members are serving terms of one year. If a student government does not exist, the students shall be elected by the students enrolled in the university voting in an election held for that purpose. At each election, the appropriate number of students shall be elected for terms of appropriate length so that three student members on the committee are serving terms of two years, and two student members are serving terms of one year. At an election at which three students are being elected for terms of two years and two students are being elected for terms of one year, each candidate must file for a one-year or two-year position.

(c) The four remaining members of the student fees advisory committee shall be appointed by the president of the university and shall be generally representative of the total university community. Each nonstudent member of the committee serves for a term of one year but may be reappointed.

(d) A student member who ceases to be a student may not continue to hold a student membership position. If a student vacancy occurs, the student government shall appoint a new member to serve for the remainder of the unexpired term. In the absence of student government or if the vacancy is in a nonstudent position, the president of the university shall appoint a new member to serve for the remainder of the unexpired term.

(e) The committee shall conduct appropriate inquiry into the type, level, and expenditure of any compulsory fees to be charged under Section 54.513 ~~[67.211]~~ of this subchapter and on the expenditure of money generated from those fees. Following the committee's inquiries, the committee and the appropriate members of the university administration shall meet, and at the meeting the committee shall submit to the administration a statement recommending the type, level, and expenditure of compulsory fees to be charged to students in the academic year beginning with the following fall semester.

(f) The president shall duly consider the recommendations of the student fees advisory committee in his recommendations to the board of regents of *The University of Texas System* which recommendations shall be submitted to the board during the annual budgetary process. If the president's recommendations to be made to the board are substantially different from those of the student fees advisory committee to the administration, the administration shall so notify the student fees advisory committee in sufficient time for the committee to request time for an appearance on the regents' agenda for

the meeting at which the board will consider the president's recommendations. The administration shall provide to a student member designated by the student members of the committee, upon that student member's request, the most recent and complete recommendations of the president to the board.

(g) In addition to selecting the student members of the student fees advisory committee, the student government, if one exists, is entitled to select the student members of the university parking and traffic policies committee established by the president of the university. The university parking and traffic policies committee shall provide copies of any recommendations it makes concerning the setting of student parking fees to the student fees advisory committee. The student fees advisory committee may make such comments and recommendations to the administration on the recommendations of the university parking and traffic policies committee as it may wish.

SECTION 17. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.515 to read as follows:

Sec. 54.515. STUDENT UNION FEE. (a) The governing board of each institution of higher education may charge each student registered at the institution a student union fee not to exceed \$20 for each regular semester and not to exceed \$10 for each term of the summer session for the sole purpose of financing, constructing, operating, maintaining, and improving a student union building. The fee may not be imposed, and may not be increased above \$10 for each regular semester and \$5 for each term of the summer session, unless the imposition or increase is approved by a majority vote of those students participating in a general election. The fees authorized by this section are in addition to any other use or service fee authorized by law to be charged and collected by the institution.

(b) The fees collected under Subsection (a) of this section shall be deposited in a designated account and shall be placed under the control of and subject to the order of a student advisory committee. The student advisory committee annually shall submit to the governing board of the institution a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the previous fiscal year and all related expenditures made during that year. The governing board shall make any changes in the budget as it considers necessary before approving the budget and shall charge and collect the fees as provided by this section in amounts sufficient to meet the budgetary needs of the student union building and within the limits authorized by this section.

SECTION 18. Section 100.37, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.516 [100.37]. STUDENT UNION FEES; EAST TEXAS STATE UNIVERSITY. (a) The board of regents of East Texas State University may levy a regular fixed student fee not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for each term of the summer school, or any fractional part thereof, as may in their discretion be just and necessary for the sole purpose of financing, constructing, operating, maintaining, and improving the Union Center Building. The amount of the fee may be changed at any time within the limits specified in order that sufficient funds to support the Union Center Building may be raised, but any increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose. The fees herein authorized to be levied should be in addition to any use fee and service fee now or hereafter levied in accordance with law. No state funds may be expended for use of the Union Center Building.

(b) The business manager of East Texas State University shall collect the fees provided for in this section and shall credit the money received from the fees to an account known as the Union Center Building Account.

(c) The money collected and placed in the Union Center Building Account shall be used for the purpose of financing, constructing, operating, maintaining, and improving the Union Center Building and shall be placed under the control of and subject to the order of the board of directors of the Union Center Building, which board of directors shall annually submit a complete itemized budget to be accompanied by a full and complete report of all activities conducted during the year and all expenditures made incident

thereto. The board of regents shall make such changes in the budget as it deems necessary before approving it, and shall then levy the student fees under the provisions of this section in such amount as will be sufficient to meet the budgetary needs of the Union Center Building, within the statutory limits herein fixed.

SECTION 19. Section 108.37, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.517 [108.37]. **STUDENT CENTER FEES; LAMAR UNIVERSITY.** The board of regents of the *Lamar University System* may levy a regular fixed student fee not to exceed \$20 per student for each semester of the long session and not to exceed \$10 per student for each term of the summer session, against each student enrolled in *Lamar University* [the institution], as in their discretion may be just and necessary for the purpose of operating, maintaining, improving, and equipping the student center and acquiring or constructing additions to the student center.

SECTION 20. Section 103.11, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.518 [103.11]. **UNIVERSITY CENTER FEE; MIDWESTERN STATE UNIVERSITY.** (a) To the extent approved by the students under Subsection (b) of this section, the Board of Regents of *Midwestern State University* is hereby authorized to levy a regular, fixed student fee not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for all or part of each term of the summer session for the purpose of operating, maintaining, improving, equipping, and financing the university center and acquiring or constructing additions to the center. The amount of the fee may be changed at any time within the limits specified in order to provide sufficient funds to support the university center. The fees authorized in this section supplement any other use or service fee authorized by law.

(b) The decision to levy such a fee, the amount of the initial fee, and any increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(c) The chief fiscal officer of the university shall collect the fees provided for in this section and shall credit the money received from the fees to an account known as the University Center Administration and Program Fund.

SECTION 21. Section 105.43, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.519 [105.43]. **STUDENT UNION FEE; NORTH TEXAS STATE UNIVERSITY.** (a) The board of regents of *North Texas State University* may levy a regular, fixed student fee against each student enrolled in that institution, as may in their discretion be just and necessary for the purpose of operating, maintaining, improving, and equipping the student union and acquiring or constructing additions thereto; provided, however, that the student body must approve each increase of said fee in excess of \$3 per student for each fiscal year, at an election called for that purpose by the board. Notice of an election shall be given by publication of a substantial copy of the resolution or order of the board calling the election and showing the amount of the increased fee and the purpose for which it is to be used. The notice shall be published in *The North Texas Daily* or in any other student newspaper having general circulation among the student body for three consecutive days of the week immediately preceding the date set for the election. The board shall canvass the returns and declare the results of the election, and if a majority of the students voting in the election vote in favor of the increase, then the board may levy the fee in an amount not in excess of the amount authorized at the election.

(b) The activities of the student union financed in whole or in part by the student union fee shall be limited to those activities in which the entire student body is eligible to participate and in no event may any of the activities so financed be held outside of the territorial limits of the campus of *North Texas State University*.

(c) The fiscal officer of *North Texas State University* shall collect the fees provided for in Subsection (a) of this section and shall credit the money received from those fees to an account known as the student union fee account.

(d) The money thus collected and placed in the student union fee account shall be used for the purpose of operating and maintaining and improving the student union and shall be placed under the control of and subject to the order of the board of directors of the student union, which board of directors shall annually submit a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving it, and shall then levy the student fees under the provisions of Subsection (a) of this section in such amounts as will be sufficient to meet the budgetary needs of the student union, within the statutory limits fixed in this section.

~~[(e) This fee is collectible beginning September 1, 1971.]~~

SECTION 22. Section 101.42, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.520 [101.42]. UNIVERSITY CENTER STUDENT FEE; *STEPHEN F. AUSTIN STATE UNIVERSITY*. (a) To the extent approved by the students under Subsection (b) of this section, the board of regents of *Stephen F. Austin State University* may charge each student enrolled in one or more courses conducted on the main campus of the university a regular, fixed fee, not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for all or part of each six-week term of the summer session, for the purpose of operating, maintaining, improving, equipping, and financing the university center and acquiring or constructing additions to the center. The amount of the fee may be changed at any time within the limits specified in order to provide sufficient funds to support the university center. The fees authorized in this section supplement any other use or service fee authorized by law.

(b) The decision to levy such a fee, the amount of the initial fee, and any increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(c) The chief fiscal officer of the university shall collect the fees provided for in this section and shall credit the money received from the fees to an account known as the university center administration and program fund.

SECTION 23. Section 85.30, Education Code, as added by Section 1, Chapter 899, Acts of the 68th Legislature, Regular Session, 1983, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.521 [85.30]. STUDENT CENTER COMPLEX FEES; *TEXAS A&M UNIVERSITY*. (a) The board of regents of *The Texas A&M University System* may levy a regular, fixed student fee on each student enrolled in an educational institution within The Texas A&M University System for the purpose of producing revenue for operating, maintaining, improving, and equipping the institution's student center complex and acquiring or constructing additions to the complex. The board may set fees in amounts it considers just and necessary but not to exceed \$20 per student for each semester for the long session and not to exceed \$10 per student for each term of the summer session, or any fractional part of a session. The activities of the student center complex that may be financed in whole or in part by the student center complex fee are limited to those activities in which the entire student body is eligible to participate. The financed activities may not be held outside the territorial limits of any educational institution within The Texas A&M University System.

(b) The comptroller of each institution shall collect the fees levied under Subsection (a) of this section and shall credit the money received from the fees to an account known as the student center complex fee account.

(c) The money collected and placed in the student center complex fee account may be used only for the purposes provided by Subsection (a) of this section. A complete and itemized budget shall be submitted to the board annually and must be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident to the activities. The board shall make changes in the budget it considers necessary before approving the budget, and shall then levy the fees in amounts

sufficient to meet the budgetary needs of the center, within the limits fixed by this section.

(d) The decision to levy a student center complex fee, the amount of the initial fee, and an increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.

SECTION 24. Section 106.37, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.522 [106.37]. STUDENT CENTER FEES; *TEXAS SOUTHERN UNIVERSITY*. (a) The board of regents of *Texas Southern University* may levy and collect a student fee not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for each term of the summer session, as may in its discretion be necessary and desirable for the purpose of operating, maintaining, and improving the student center and acquiring or constructing additions to the student center. Provided, however, that a student center fee shall be levied only after a student referenda has been called on the issue of an increase in the fee, within the prescribed limits of this section, and that the issue of an increase has been approved by a majority of the students voting in the election. Provided, further, that in its levy and assessment of such fee, the board shall adopt a proportionate fee schedule which takes into consideration the number of semester credit hours for which a student registers.

(b) All fees collected pursuant to Subsection (a) hereof shall be reserved and accounted for in an account or accounts kept separate and apart from educational and general funds of the university. The fees collected shall be placed in a depository bank or banks designated by the board and shall be secured by law.

(c) Expenditures from the accounts provided for in Subsection (b) of this section shall be limited to those purposes specified in Subsection (a) of this section and pursuant to a budget approved by the board.

(d) The fee authorized to be collected pursuant to Subsection (a) of this section shall be in addition to any other fees or charges heretofore authorized by law.

SECTION 25. Section 95.35, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.523 [95.35]. STUDENT CENTER FEES; *TEXAS STATE UNIVERSITY SYSTEM*. (a) To the extent approved by the students under Subsection (b) of this section, the board of regents of the *Texas State University System* may charge each student enrolled in a university under its authority a student center fee not to exceed \$20 per semester or \$10 per six-week summer term to be used to construct, operate, maintain, improve, and program a student center at the university at which the student is enrolled.

(b) The decision to levy a student center fee, the amount of the initial fee, and an increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose; provided that this requirement shall not apply to the decision to levy a student center fee or the amount of the initial fee approved by the board prior to the effective date of this section.

(c) The chief fiscal officer of each university operating a student center shall collect the student center fee and shall deposit the money received into an account known as the student center account.

(d) The university shall hold in reserve any fee revenue that exceeds the amount necessary to meet the operating expenses of the student center and may apply that revenue only to future operating expenses of the student center.

(e) No state appropriated funds may be used to construct, operate, maintain, improve, or program the student center.

SECTION 26. Section 109.50, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.524 [109.50]. STUDENT FEES FOR UNIVERSITY CENTER; *TEXAS TECH UNIVERSITY*. (a) The board of regents of *Texas Tech University* may levy a regular fixed student fee not to exceed \$20 per student for each semester of the long session and not to exceed \$10 per student for each term of the summer session, or any fractional part

thereof, as may in their discretion be just and necessary for the sole purpose of operating, maintaining, and improving the University Center. The amount of the fee may be changed at any time within the limits specified in order to provide sufficient funds to support the center, but any increase in the initial fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(b) The director of accounting and finance of the university shall collect the fees provided for in Subsection (a) of this section and shall credit the money received from the fees to an account known as the University Center account.

(c) The funds in the University Center account shall be used for the purpose of operating, maintaining, and improving the center and shall be placed under the control of and subject to the order of the board of directors of the University Center. The board of directors shall annually submit a complete and itemized budget accompanied by a full and complete report of all activities conducted during the year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving it, and shall then levy the student fees in an amount sufficient to meet the budgetary needs of the center within the limits set in Subsection (a) of this section.

SECTION 27. Section 107.47, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.525 [107.47]. FEES FOR STUDENT CENTERS; *TEXAS WOMAN'S UNIVERSITY*. (a) The board of regents of *Texas Woman's University* may levy a regular, fixed student fee not to exceed \$20 per student for each semester of the long session and not to exceed \$10 per student for each term of the summer session, as the board determines is just and necessary for the purpose of financing, improving, operating, maintaining, and equipping student centers and acquiring or constructing additions to student centers.

(b) The board may increase a student fee levied under this section. If the increase is for more than \$3 per fiscal year, a majority of the students voting in an election called for that purpose must approve the increase.

(c) The board shall keep fees collected under this section in an account apart from the educational and general funds of the university. The board shall deposit the fees in a depository bank designated by the board and shall secure the deposits as required by law.

SECTION 28. Section 111.42, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.526 [111.42]. STUDENT FEES FOR UNIVERSITY CENTERS; *THE UNIVERSITY OF HOUSTON-UNIVERSITY PARK*. (a) The board of regents of the *University of Houston System* may levy a student union fee, not to exceed \$15 per student for each regular semester and not to exceed \$7.50 per student for each term of the summer session, for the sole purpose of financing, constructing, operating, maintaining, and improving a Student Union Building for the *University of Houston-University Park*. The fees herein authorized to be levied are in addition to any use or service fee now or hereafter authorized to be levied.

(b) Such fees shall be deposited to an account known as "The University of Houston Center Fee Account" and shall be placed under the control of and subject to the order of the Student Service Fee Planning and Allocations Committee. The committee shall annually submit to the board of regents a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving the budget but may only levy a student union fee or increase an existing student union fee after a student referendum has been called on the levying or increase in such a fee, and the majority of the students voting in the referendum approve. The board shall then levy the fees, within the limits herein fixed, in such amounts as will be sufficient to meet the budgetary needs of the University Center Building. Expenditures from "The University of Houston Center Fee Account" shall be made solely for the purposes set forth in this section, and in compliance with the budget approved by the board of regents.

SECTION 29. Section 111.94, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.527 [~~111.94~~]. STUDENT FEES FOR UNIVERSITY CENTER FACILITIES; *THE UNIVERSITY OF HOUSTON-DOWNTOWN COLLEGE*. (a) The board of regents of the University of Houston System may levy a university center fee in an amount not to initially exceed \$15 per student enrolled for five semester credit hours or less and \$25 per student enrolled for six semester credit hours or more for each regular semester, and not to initially exceed \$15 per student enrolled for each summer session. This fee may be used for the purpose of financing, construction, operating, maintaining, and improving facilities for university center activities, wherever located on the campus of the University of Houston-Downtown College. This fee may be levied in addition to any other use or service fee.

(b) The university center fee may be increased by the board of regents only on an affirmative vote of a majority of the student body voting at the University of Houston-Downtown College.

(c) The business officer of the University of Houston-Downtown College shall collect the university center fees and deposit the fees to the credit of an account known as the University Center Fee Account.

(d) The money deposited to the credit of the University Center Fee Account shall be used for the purposes authorized in Subsection (a) of this section. A complete and itemized budget shall be submitted annually and accompanied by a full and complete report of all activities conducted during the past year and all expenditures incident to those activities. The board of regents shall make changes in the budget that it considers necessary.

SECTION 30. Section 104.16, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.528 [~~104.16~~]. STUDENT CENTER FEES; *THE UNIVERSITY SYSTEM OF SOUTH TEXAS*. (a) To the extent approved by the students under Subsection (b) of this section, the board of regents of the University System of South Texas may charge each student enrolled in a university under its authority a student center fee not to exceed \$20 per semester or \$10 per six-week summer term to be used to construct, operate, maintain, improve, and program a student center at the university at which the student is enrolled.

(b) The decision to levy a student center fee, the amount of the initial fee, and an increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(c) The chief fiscal officer of each university operating a student center shall collect the student center fee and shall deposit the money received into an account known as the student center account.

(d) The university shall hold in reserve any fee revenue that exceeds the amount necessary to meet the operating expenses of the student center and may apply that revenue only to future operating expenses of the student center.

SECTION 31. Section 68.04, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.529 [~~68.04~~]. STUDENT UNION FEE; *THE UNIVERSITY OF TEXAS AT ARLINGTON*. (a) The board of regents of The University of Texas System may levy a student union fee not to exceed \$39 per student for each regular semester and not to exceed \$19.50 per student for each term of the summer session, for the sole purpose of financing, constructing, operating, maintaining, and improving the Student Union Building for The University of Texas at Arlington; provided, however, that the fee may not be increased above \$15 per student for each regular semester and \$7.50 per student for each term of the summer session unless the increase is approved by a majority vote of those students participating in a general election. The fees herein authorized to be levied are in addition to any use or service fee now or hereafter authorized to be levied.

(b) Such fees shall be deposited to an account known as "The University of Texas at Arlington Student Union Fee Account" and shall be placed under the control of and

subject to the order of the Student Union Advisory Committee. The committee shall annually submit to the board of regents a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving the budget, and shall then levy the fees, within the limits herein fixed, in such amounts as will be sufficient to meet the budgetary needs of the student union building.

SECTION 32. Section 67.21, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.530 [67.21]. *STUDENT UNION FEES; THE UNIVERSITY OF TEXAS AT AUSTIN* [SPECIAL FEES]. (a) ~~[The board may levy and collect special fees from each student as a prerequisite to registration in the university as provided by this section.~~

[(e)] The board of regents of *The University of Texas System* may levy and collect from each student a compulsory fee for operating, maintaining, improving, equipping, and/or constructing additions to the existing Texas Union building near Guadalupe Street, of not to exceed \$17 for each regular semester and \$8.50 for each term of each summer session, with such fees to be deposited to an account known as the Texas Union Fee Account; this fee may be raised to an amount not to exceed \$20 for each regular semester and \$10 for each term of each summer session if that increase in the fee is approved by a majority vote of those students participating in a general election called for that purpose. The activities of said Texas Union building financed in whole or in part by this fee shall be limited to those activities in which the entire student body is eligible to participate, and in no event shall any of the activities so financed be held outside of the territorial limits of the campus of The University of Texas at Austin.

(b) [(d)] The fees thus collected and placed in the Texas Union Fee Account shall be placed under the control of and subject to the order of the board of directors of the Texas Union building, which board shall annually submit a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving the same, and shall then levy the fees in such amounts as will be sufficient to meet the budgetary needs of said Texas Union building, within the limits herein fixed.

(c) [(e)] The power and authority conferred by this section does not and shall not constitute in any way a limitation or restriction upon the power and authority of the board of regents under Chapter 55 of this code.

SECTION 33. Section 70.08, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.531 [70.08]. *STUDENT UNION BUILDING FEES; THE UNIVERSITY OF TEXAS AT DALLAS*. (a) The board of regents of *The University of Texas System* may levy a student union fee, not to exceed \$25 per student for each regular semester and not to exceed \$12.50 per student for each term of the summer session, for the sole purpose of financing, constructing, operating, maintaining, and improving a student union building for *The University of Texas at Dallas*; provided, however, that the fee may not be increased above \$15 per student for each regular semester and \$7.50 per student for each term of the summer session unless the increase is approved by a majority vote of those students participating in a general election held for that purpose. The fees herein authorized to be levied are in addition to any use or service fee now or hereafter authorized to be levied.

(b) Such fees shall be deposited to an account known as "The University of Texas at Dallas Student Union Fee Account" and shall be placed under the control of and subject to the order of the Student Union Advisory Committee. The committee shall annually submit to the board of regents a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The board of regents shall make such changes in the budget as it deems necessary before approving the budget, and shall then levy the fees, within the limits herein fixed, in such amounts as will be sufficient to meet the budgetary needs of the student union building.

SECTION 34. Section 71.07, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.532 [71.07]. **STUDENT UNION BUILDING FEES; THE UNIVERSITY OF TEXAS AT SAN ANTONIO.** (a) The board of regents of *The University of Texas System* may levy a student union fee, not to exceed \$15 per student for each regular semester and not to exceed \$7.50 per student for each term of the summer session, for the sole purpose of financing, constructing, operating, maintaining, and improving a student union building for *The University of Texas at San Antonio*. This fee may be levied in addition to any other use or service fee. Furthermore, fee may be levied only upon an affirmative vote of a majority of the student body voting of *The University of Texas at San Antonio*.

(b) The fees collected under Subsection (a) of this section shall be deposited to an account known as *The University of Texas at San Antonio Student Union Fee Account* and shall be placed under the control of and subject to the order of the student union advisory committee. The committee shall annually submit to the board of regents a complete and itemized budget to be accompanied by a full and complete report of all activities conducted during the past year and all expenditures made incident to those activities. The board of regents shall make such changes in the budget as it deems necessary before approving the budget, but only after a student referendum has been called on the issue of increase in the fee, and the issue has been approved by a majority of the students voting in the election. The board shall then levy the fees, within the limits fixed in this section, in such amounts as will be sufficient to meet the budgetary needs of the student union building.

SECTION 35. Section 102.34, Education Code, is transferred to Subchapter E, Chapter 54, Education Code, is renumbered, and is amended to read as follows:

Sec. 54.533 [102.34]. **UNIVERSITY CENTER STUDENT FEE; WEST TEXAS STATE UNIVERSITY.** (a) To the extent approved by the students under Subsection (b) of this section, the board of regents of *West Texas State University* may charge each student enrolled in one or more courses conducted on the main campus of the university a regular, fixed fee not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for all or part of each six-week term of the summer session for the purpose of operating, maintaining, improving, equipping, and financing the university center and acquiring or constructing additions to the center. The amount of the fee may be changed at any time within the limits specified in order to provide sufficient funds to support the university center. The fees authorized in this section supplement any other use or service fee authorized by law.

(b) The decision to levy such a fee, the amount of the initial fee, and any increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.

(c) The chief fiscal officer of the university shall collect the fees provided for in this section and shall credit the money received from the fees to an account known as the *University Center Administration and Program Fund*.

SECTION 36. Subchapter A, Chapter 51, Education Code, is amended by adding Section 51.009 to read as follows:

Sec. 51.009. **CERTAIN INCOME ACCOUNTED FOR AS EDUCATIONAL AND GENERAL FUNDS.** *Each of the following shall be accounted for as educational and general funds: net tuition, special course fees charged under Sections 54.051(e) and (l), Education Code, lab fees, student teaching fees, hospital and clinic fees, organized activity fees, proceeds from the sale of educational and general equipment, and indirect cost recovery fees.*

SECTION 37. Sections 95.26 and 112.39, Education Code, are repealed.

SECTION 38. This Act takes effect beginning with the fall semester 1987 and applies to fees charged on or after that date. Fees charged before the fall semester 1987 are governed by the laws in effect at the time the fees are charged and those laws are continued in effect for that purpose.

SECTION 39. 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 by the House on May 20, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1831 on May 31, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 30, 1987, by the following vote: Yeas 31, Nays 0.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.