

BILL ANALYSIS

Senate Research Center

S.B. 1205
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Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1205 reauthorizes the continued collection of an environmental services 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. 3353, 83rd Legislature, Regular Session, 2013, 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.

S.B. 1205 authorizes the continuation of the fee after the fifth year, provided a majority of students first pass a referendum extending its collection.

As proposed, S.B. 1205 amends current law relating to the environmental services fee at public institutions 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, rather than unless before the end of that academic year:

(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 by a majority vote of the students enrolled at the institution who participate in a general student election called for that purpose.

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