

**1. Title**

Special Use Facilities

**2. Rule and Regulation**

Sec. 1 Designation. Notwithstanding any other provisions of this Rule, the president of an institution or Chancellor may designate specific facilities, such as special event centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities.

Sec. 2 Rules for Use. Appropriate rules and regulations must be included in the *Handbook of Operating Procedures* and must restrict the reservation and use of such facilities in accordance with the following:

- 2.1 Designation as a Special Use Facility shall not constitute the facility as a public facility or forum that is open to use by individuals, groups, associations, or corporations on a first-come, first-served basis.
- 2.2 Priority in the reservation and use of Special Use Facilities shall be given to programs and activities of the U.T. System or any of the institutions that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the U.T. System or any of the institutions.
- 2.3 As a lower priority, the rules and regulations may provide for reservation and use of Special Use Facilities by individuals, groups, associations, or corporations without the necessity of joint sponsorship by the U.T. System or any of the institutions. Subject to all constitutional and statutory provisions relating to the use of State property or funds for religious or political purposes, Special Use Facilities may be made available for religious and political conferences or conventions. Rates must be charged for the use of the Special Use Facility that, at a minimum, ensure recovery of that part of the operating cost of the facility attributable directly or indirectly to such use. Agreements for the use of Special Use Facilities shall be consistent with model contracts developed by the Office of General Counsel.

2.4 The rules and regulations applicable to a Special Use Facility may provide for the rental of space for display of advertising and the display of samples of merchandise in designated areas inside the Facility that have been approved by the president of the institution or his or her delegate, or the Chancellor, and for advertising by displays on an electronic scoreboard or message center inside the Facility or on the Facility's outdoor electronic marquee or message center. Such rules and regulations may further provide for the sale of advertising space on ticket envelopes for events sponsored by the Facility and in any publication of the Facility distributed in connection with a sponsored event or announcing future sponsored events.

Sec. 3 Limited Special Use Facilities. Subject to the requirements and limitations of Section 2 of this Rule, the president of an institution may designate an athletics facility as a Limited Special Use Facility.

3.1 The rules and regulations of the institution may provide for reservation and use of a Limited Special Use Facility solely by individuals, groups, associations, or corporations that will host an athletic sporting event appropriate for the specific athletics facility, that the institution deems beneficial to the institution.

3.2 The president of an institution may enter into an agreement for the use of a Limited Special Use Facility that includes rates lower than the amount that ensures recovery of that part of the operating cost of the facility attributable directly or indirectly to such use upon the Board's approval of the agreement and finding that (1) the event serves a public purpose appropriate to the function of the institution, (2) there is adequate consideration and benefit to the institution and the State of Texas, and (3) the institution will have sufficient safeguards in place to ensure the public purpose will continue to be met.

### **3. Definitions**

None

**4. Relevant Federal and State Statutes**

*Texas Government Code* [Section 2165.002](#) – Exceptions to Commission Charge and Control

*Texas Government Code* [Section 2203.004](#) – Requirement to Use State Property for State Purposes

**5. Relevant System Policies, Procedures, and Forms**

*Regents' Rules and Regulations*, [Rule 80105](#) – Joint Sponsorship of the Use of Property or Buildings

**6. System Administration Office(s) Responsible for Rule**

Office of Academic Affairs  
Office of Health Affairs

**7. Dates Approved or Amended**

[Regents' Rules Revision History](#)