

1-1 By: Paxton, et al. S.B. No. 702
 1-2 (In the Senate - Filed February 22, 2021; March 11, 2021,
 1-3 read first time and referred to Committee on Higher Education;
 1-4 March 29, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; March 29, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | | | X | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 702 By: Springer

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the continuation and functions of the Prepaid Higher
 1-22 Education Tuition Board.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 54.603, Education Code, is amended to
 1-25 read as follows:

1-26 Sec. 54.603. SUNSET PROVISION. The Prepaid Higher
 1-27 Education Tuition Board is subject to Chapter 325, Government Code
 1-28 (Texas Sunset Act). Unless continued in existence as provided by
 1-29 that chapter, the board is abolished ~~[and the programs established~~
 1-30 ~~under this subchapter and under Subchapters C and H terminate]~~
 1-31 September 1, 2033 ~~[2021]~~.

1-32 SECTION 2. Section 54.610, Education Code, is amended by
 1-33 amending Subsection (b) and adding Subsection (d) to read as
 1-34 follows:

1-35 (b) ~~The~~ [A] training program must ~~[established under this~~
 1-36 ~~section shall]~~ provide the person with information ~~[to the member]~~
 1-37 regarding:

1-38 (1) the law governing ~~[enabling legislation that~~
 1-39 ~~created the]~~ board operations;

1-40 (2) the programs, functions, rules, and budget of
 1-41 ~~[operated by]~~ the board;

1-42 (3) the scope of and limitations on the rulemaking
 1-43 authority ~~[role and functions]~~ of the board;

1-44 (4) ~~[the rules of the board, with an emphasis on the~~
 1-45 ~~rules that relate to disciplinary and investigatory authority,~~

1-46 ~~[(5) the current budget for the board,~~
 1-47 ~~[(6)]~~ the results of the most recent formal audit of
 1-48 the board;

1-49 (5) ~~[(7)]~~ the requirements of ~~[the]~~:

1-50 (A) laws relating to open meetings, public
 1-51 information, ~~[law, Chapter 551, Government Code,~~

1-52 ~~[(B) open records law, Chapter 552, Government~~
 1-53 ~~Code, and~~

1-54 ~~[(C)]~~ administrative procedure, and disclosing
 1-55 conflicts ~~[law, Chapter 2001, Government Code,~~

1-56 ~~[(8) the requirements of the conflict]~~ of interest;
 1-57 ~~[laws]~~ and

1-58 (B) other laws applicable to members of a state
 1-59 policy-making body in performing their duties ~~[relating to public~~
 1-60 ~~officials]~~; and

2-1 (6) [~~9~~] any applicable ethics policies adopted by
2-2 the board or the Texas Ethics Commission.

2-3 (d) The executive director of the board shall create a
2-4 training manual that includes the information required by
2-5 Subsection (b). The executive director shall distribute a copy of
2-6 the training manual annually to each board member. Each board
2-7 member shall sign and submit to the executive director a statement
2-8 acknowledging that the member received and has reviewed the
2-9 training manual.

2-10 SECTION 3. Section 54.617(e), Education Code, is amended to
2-11 read as follows:

2-12 (e) The board shall periodically notify the complaint
2-13 parties of the status of the complaint until final disposition
2-14 unless the notice would jeopardize an investigation.

2-15 SECTION 4. Subchapter F, Chapter 54, Education Code, is
2-16 amended by adding Section 54.6181 to read as follows:

2-17 Sec. 54.6181. ADVISORY COMMITTEES. (a) The board by rule
2-18 may establish advisory committees to make recommendations to the
2-19 board on programs, rules, and policies administered by the board.

2-20 (b) In establishing an advisory committee under this
2-21 section, the board shall adopt rules, including rules regarding:

2-22 (1) the purpose, role, responsibility, goals, and
2-23 duration of the committee;

2-24 (2) the size of and quorum requirement for the
2-25 committee;

2-26 (3) qualifications for committee membership;

2-27 (4) appointment procedures for members;

2-28 (5) terms of service for members;

2-29 (6) training requirements for members;

2-30 (7) policies to avoid conflicts of interest by
2-31 members;

2-32 (8) a periodic review process to evaluate the
2-33 continuing need for the committee; and

2-34 (9) policies to ensure the committee does not violate
2-35 any provision of Chapter 551, Government Code, applicable to the
2-36 board or the committee.

2-37 (c) Chapter 2110, Government Code, does not apply to an
2-38 advisory committee created by the board.

2-39 SECTION 5. (a) Except as provided by Subsection (b) of
2-40 this section, Section 54.610, Education Code, as amended by this
2-41 Act, applies to a member of the Prepaid Higher Education Tuition
2-42 Board appointed before, on, or after the effective date of this Act.

2-43 (b) A member of the Prepaid Higher Education Tuition Board
2-44 who, before the effective date of this Act, completed the training
2-45 program required by Section 54.610, Education Code, as that law
2-46 existed before the effective date of this Act, is only required to
2-47 complete additional training on the subjects added by this Act to
2-48 the training program required by Section 54.610, Education Code. A
2-49 board member described by this subsection may not vote, deliberate,
2-50 or be counted as a member in attendance at a meeting of the board
2-51 held on or after December 1, 2021, until the member completes the
2-52 additional training.

2-53 SECTION 6. This Act takes effect September 1, 2021.

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