

By: Wilson

H.B. No. 2123

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the membership of the board of regents of The University
3 of Texas System and the board of regents of The Texas A&M University
4 System.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 65.11, Education Code, is amended to
7 read as follows:

8 Sec. 65.11. BOARD OF REGENTS. (a) The government of the
9 university system is vested in a board of 11 [~~nine~~] regents
10 appointed by the governor with the advice and consent of the senate.

11 (b) The governor shall appoint one of the regents as
12 provided by Section 65.111.

13 (c) The board may provide for the administration,
14 organization, and names of the institutions and entities in The
15 University of Texas System in such a way as will achieve the maximum
16 operating efficiency of such institutions and entities, provided,
17 however, that no institution or entity of The University of Texas
18 System not authorized by specific legislative act to offer a
19 four-year undergraduate program as of the effective date of this
20 Act shall offer any such four-year undergraduate program without
21 prior recommendation and approval by a two-thirds vote of the Texas
22 Higher Education Coordinating Board and a specific act of the
23 Legislature.

24 SECTION 2. Subchapter B, Chapter 65, Education Code, is

1 amended by adding Section 65.111 to read as follows:

2 Sec. 65.111. STUDENT REGENT. (a) In this section:

3 (1) "General academic teaching institution" has the
4 meaning assigned by Section 61.003.

5 (2) "Student government" means the representative
6 student organization directly elected by the student body of a
7 general academic teaching institution.

8 (b) In the academic year preceding the date on which the
9 term of a student regent expires, the student government of each
10 general academic teaching institution in the system shall solicit
11 applicants for the position of student regent. From among the
12 individuals who apply, each student government shall select three
13 individuals to be screened by The University of Texas System
14 Student Advisory Council. From among the individuals screened by
15 the council, the council shall select three individuals and send
16 the names of those individuals as the council's recommendations for
17 the position of student regent to the chancellor of the system.
18 From the individuals recommended to the chancellor, the chancellor
19 shall select those individuals the chancellor considers qualified
20 to serve as student regent and shall send the names of those
21 individuals to the governor as the system's recommendations for the
22 position of student regent. The governor shall appoint one of those
23 individuals to serve as student regent for the next term of that
24 office.

25 (c) A student regent must be enrolled as an undergraduate or
26 graduate student in a general academic teaching institution in the
27 system at the time of appointment. For purposes of this subsection,

1 a person is considered to be enrolled in an institution for a summer
2 term if the person:

3 (1) was enrolled in the institution for the preceding
4 semester and is registered or preregistered at the institution for
5 the following fall semester;

6 (2) was enrolled in the institution for the preceding
7 semester and is eligible to continue the same degree program at the
8 institution in the following fall semester; or

9 (3) was enrolled in the same or another general
10 academic teaching institution in the system for the preceding
11 semester and is admitted to a degree program at the institution for
12 the following fall semester.

13 (d) A student regent may not be an elected or ex officio
14 member of the student government of a general academic teaching
15 institution in the system.

16 (e) The student regent has the same powers and duties,
17 including voting privileges, as those granted to the other board
18 members under Subchapter C.

19 (f) A student regent may not be appointed from the same
20 general academic teaching institution for consecutive terms.

21 (g) A vacancy in the position of student regent shall be
22 filled for the unexpired term as provided by Subsection (b).

23 SECTION 3. Section 65.12, Education Code, is amended to
24 read as follows:

25 Sec. 65.12. QUALIFICATIONS; TERMS. (a) A regent must [~~Each~~
26 ~~member of the board shall~~] be a qualified voter.

27 (b) The regents [~~, and the members~~] shall be selected from

1 different geographic regions [~~portions~~] of the state.

2 (c) The regents appointed under Section 65.11(a) [~~members~~]
3 hold office for staggered terms of six years, with the terms of
4 three or four regents, as applicable, expiring February 1 of
5 odd-numbered years.

6 (d) A student regent appointed under Section 65.111 holds
7 office for a term of two years, with the term of the initial student
8 regent expiring February 1, 2005.

9 SECTION 4. Section 85.11, Education Code, is amended to
10 read as follows:

11 Sec. 85.11. BOARD OF REGENTS. (a) The government of the
12 university system is vested in a board of 11 [~~nine~~] regents
13 appointed by the governor with the advice and consent of the senate.

14 (b) The governor shall appoint one of the regents as
15 provided by Section 85.111.

16 SECTION 5. Subchapter B, Chapter 85, Education Code, is
17 amended by adding Section 85.111 to read as follows:

18 Sec. 85.111. STUDENT REGENT. (a) In this section:

19 (1) "General academic teaching institution" has the
20 meaning assigned by Section 61.003.

21 (2) "Student government" means the representative
22 student organization directly elected by the student body of a
23 general academic teaching institution.

24 (b) In the academic year preceding the date on which the
25 term of a student regent expires, the student government of each
26 general academic teaching institution in the system shall solicit
27 applicants for the position of student regent. From among the

1 individuals who apply, each student government shall select three
2 individuals to be screened by The Texas A&M University System
3 Chancellor's Student Advisory Board. From among the individuals
4 screened by the advisory board, the advisory board shall select
5 three individuals and send the names of those individuals as the
6 advisory board's recommendations for the position of student regent
7 to the chancellor of the system. From the individuals recommended
8 to the chancellor, the chancellor shall select those individuals
9 the chancellor considers qualified to serve as student regent and
10 shall send the names of those individuals to the governor as the
11 system's recommendations for the position of student regent. The
12 governor shall appoint one of those individuals to serve as student
13 regent for the next term of that office.

14 (c) A student regent must be enrolled as an undergraduate or
15 graduate student in a general academic teaching institution in the
16 system at the time of appointment. For purposes of this subsection,
17 a person is considered to be enrolled in an institution for a summer
18 term if the person:

19 (1) was enrolled in the institution for the preceding
20 semester and is registered or preregistered at the institution for
21 the following fall semester;

22 (2) was enrolled in the institution for the preceding
23 semester and is eligible to continue the same degree program at the
24 institution in the following fall semester; or

25 (3) was enrolled in the same or another general
26 academic teaching institution in the system for the preceding
27 semester and is admitted to a degree program at the institution for

1 the following fall semester.

2 (d) A student regent may not be an elected or ex officio
3 member of the student government of a general academic teaching
4 institution in the system.

5 (e) The student regent has the same powers and duties,
6 including voting privileges, as those granted to the other board
7 members under Subchapter C.

8 (f) A student regent may not be appointed from the same
9 general academic teaching institution for consecutive terms.

10 (g) A vacancy in the position of student regent shall be
11 filled for the unexpired term as provided by Subsection (b).

12 SECTION 6. Section 85.12, Education Code, is amended to
13 read as follows:

14 Sec. 85.12. QUALIFICATIONS; TERMS. (a) A regent must
15 [Each member of the board shall] be a qualified voter.

16 (b) The regents [, and the members] shall be selected from
17 different geographic regions [portions] of the state.

18 (c) The regents appointed under Section 85.11(a) [members]
19 hold office for staggered terms of six years, with the terms of
20 three or four regents, as applicable, expiring February 1 of
21 odd-numbered years.

22 (d) A student regent appointed under Section 85.111 holds
23 office for a term of two years, with the term of the initial student
24 regent expiring February 1, 2005.

25 SECTION 7. (a) This Act takes effect September 1, 2003.

26 (b) As soon as practicable after this Act takes effect, the
27 governor shall appoint:

1 (1) an additional regent to serve on the board of
2 regents of The University of Texas System for a term expiring
3 February 1, 2009; and

4 (2) an additional regent to serve on the board of
5 regents of The Texas A&M University System for a term expiring
6 February 1, 2009.

7 (c) The appropriate student governments, the chancellor of
8 The University of Texas System, and the governor shall take the
9 actions required by Section 65.111, Education Code, as added by
10 this Act, as soon as practicable after this Act takes effect to
11 select a student regent to serve on the board of regents of The
12 University of Texas System for a term expiring February 1, 2005.

13 (d) The changes in law made by this Act to Subchapter B,
14 Chapter 65, Education Code, do not affect the term of a member of
15 the board of regents of The University of Texas System serving on
16 the effective date of this Act.

17 (e) The appropriate student governments, the chancellor of
18 The Texas A&M University System, and the governor shall take the
19 actions required by Section 85.111, Education Code, as added by
20 this Act, as soon as practicable after this Act takes effect to
21 select a student regent to serve on the board of regents of The
22 Texas A&M University System for a term expiring February 1, 2005.

23 (f) The changes in law made by this Act to Subchapter B,
24 Chapter 85, Education Code, do not affect the term of a member of
25 the board of regents of The Texas A&M University System serving on
26 the effective date of this Act.