

By: Zaffirini

S.B. No. 29

A BILL TO BE ENTITLED

AN ACT

relating to meetings of governing boards of public institutions of higher education held outside this state and to the manner in which certain meetings of those boards may be held.

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

SECTION 1. Section 551.121, Government Code, is amended by amending Subsections (b)-(f) and adding Subsection (g) to read as follows:

Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER EDUCATION.

(b) This chapter does not prohibit the governing board of an institution of higher education from holding an open or closed meeting by telephone conference call or videoconference.

(c) A meeting held by telephone conference call or videoconference may be held only if:

(1) the meeting is a special called meeting, ~~[and]~~ immediate action is required, ~~[+]~~ and

~~[(2)]~~ the convening at one location of a quorum of the governing board is difficult or impossible; or

(2) the governing board determines that, for an academic or other policy reason, it is appropriate for a quorum of the governing board to meet at a physical location outside the geographical boundaries of the state, including a location in a foreign country.

1 (d) The telephone conference call or videoconference
2 meeting is subject to the notice requirements applicable to other
3 meetings.

4 (e) The notice of the telephone conference call or
5 videoconference meeting must specify as the location of the meeting
6 the location where meetings of the governing board are usually
7 held. For a meeting of the governing board of a university system,
8 the notice must specify as the location of the meeting the board's
9 conference room at the university system office. For a meeting held
10 under Subsection (c)(2), the notice must also specify the physical
11 location where a quorum of the governing board will meet and the
12 reason for which the governing board determined to meet at that
13 physical location.

14 (f) Each part of a [~~the~~] telephone conference call meeting
15 that is required to be open to the public shall be audible to the
16 public at the location specified in the notice of the meeting as the
17 location of the meeting and shall be tape recorded. The tape
18 recording shall be made available to the public.

19 (g) Each part of a videoconference meeting that is required
20 to be open to the public shall:

21 (1) be visible and audible to the public at the
22 location specified in the notice of the meeting as the location of
23 the meeting;

24 (2) be recorded in an audiovisual medium that records
25 the meeting substantially as presented under Subdivision (1) and
26 that shall be made available to the public; and

27 (3) have two-way audio and video communications with

1 each participant in the meeting during the entire meeting.

2 SECTION 2. This Act takes effect September 1, 2003, and
3 applies only to a meeting for which notice is given on or after that
4 date.