

AN ACT

relating to changing the composition of certain governing bodies with an even number of members to comply with the changes made to Section 30a, Article XVI, Texas Constitution.

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

ARTICLE 1. TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE

SECTION 1.01. Effective September 1, 2003, Subsection (b), Section 461.003, Health and Safety Code, is amended to read as follows:

(b) The commission is composed of five [~~six~~] members appointed by the governor with the advice and consent of the senate.

SECTION 1.02. Effective September 1, 2003, Section 461.006, Health and Safety Code, is amended to read as follows:

Sec. 461.006. TERMS. Commission members serve staggered six-year terms, with the terms of one or two members expiring February 1 of each odd-numbered year.

SECTION 1.03. (a) Of the two positions on the Texas Commission on Alcohol and Drug Abuse that have terms scheduled to expire on February 1, 2005, one of the positions is abolished on September 1, 2003.

(b) On or before September 1, 2003, the two members whose terms are scheduled to expire on February 1, 2005, shall determine by unanimous agreement or by lot which of the two positions shall be abolished on September 1, 2003, and shall inform the chairman of the

1 Texas Commission on Alcohol and Drug Abuse of that determination.

2 ARTICLE 2. TEXAS ANIMAL HEALTH COMMISSION

3 SECTION 2.01. Effective September 1, 2003, Subsection (a),  
4 Section 161.021, Agriculture Code, is amended to read as follows:

5 (a) The commission is composed of 13 [~~twelve~~] commissioners  
6 appointed by the governor with the advice and consent of the senate,  
7 with the appropriate number from each of the following categories:

8 (1) a practitioner of veterinary medicine;

9 (2) a dairyman;

10 (3) a cattle raiser;

11 (4) a hog raiser;

12 (5) a sheep or goat raiser;

13 (6) a poultry raiser;

14 (7) an individual involved in the equine industry;

15 (8) an individual involved in the feedlot industry;

16 (9) an individual involved in the livestock marketing  
17 industry;

18 (10) three [~~two~~] members of the general public; and

19 (11) an individual involved in the exotic livestock or  
20 exotic fowl industry.

21 SECTION 2.02. Effective September 1, 2003, Section 161.022,  
22 Agriculture Code, is amended to read as follows:

23 Sec. 161.022. TERM. Commissioners serve for staggered  
24 terms of six years, with the terms of four or five members expiring  
25 every other year.

26 SECTION 2.03. As soon as possible on or after September 1,  
27 2003, the governor shall appoint an additional public member to the

1 Texas Animal Health Commission for a term expiring September 6,  
2 2007.

3 ARTICLE 3. TEXAS COMMISSION ON THE ARTS

4 SECTION 3.01. Effective September 1, 2003, Subsection (a),  
5 Section 444.003, Government Code, is amended to read as follows:

6 (a) The commission is composed of 17 [~~18~~] members appointed  
7 by the governor with the advice and consent of the senate. The  
8 members must represent all fields of the arts and be widely known  
9 for their professional competence and experience in connection with  
10 the arts. At least two members must be residents of a county with a  
11 population of less than 50,000. Appointments to the commission  
12 shall be made without regard to the race, color, disability, sex,  
13 religion, age, or national origin of the appointees.

14 SECTION 3.02. (a) Of the six positions on the Texas  
15 Commission on the Arts that have terms expiring on August 31, 2005,  
16 one of the positions is abolished on September 1, 2003.

17 (b) On or before September 1, 2003, the six members whose  
18 terms are scheduled to expire on August 31, 2005, shall determine by  
19 unanimous agreement or by lot which of the six positions shall be  
20 abolished and shall inform the presiding officer of the Texas  
21 Commission on the Arts of that determination.

22 ARTICLE 4. ADVISORY BOARD OF ATHLETIC TRAINERS

23 SECTION 4.01. Effective September 1, 2003, Subsection (b),  
24 Section 451.051, Occupations Code, is amended to read as follows:

25 (b) The board consists of five [~~six~~] members appointed by  
26 the governor with the advice and consent of the senate as follows:

27 (1) three [~~four~~] members who are athletic trainers;

1 and

2 (2) two members who represent the public.

3 SECTION 4.02. Effective September 1, 2003, Subsection (a),  
4 Section 451.053, Occupations Code, is amended to read as follows:

5 (a) Board members serve staggered six-year terms with the  
6 terms of one or two members expiring on January 31 of each  
7 odd-numbered year.

8 SECTION 4.03. (a) Of the athletic trainer positions on the  
9 Advisory Board of Athletic Trainers, the position of the athletic  
10 trainer member whose term on the board is next scheduled to expire  
11 is abolished on September 1, 2003.

12 (b) If, of the athletic trainer positions on the Advisory  
13 Board of Athletic Trainers, two athletic trainer members of the  
14 board have terms next scheduled to expire, one of the positions is  
15 abolished on September 1, 2003. On or before September 1, 2003, the  
16 athletic trainer members whose terms are next scheduled to expire  
17 shall determine by unanimous agreement or by lot which of the two  
18 positions shall be abolished on September 1, 2003, and shall inform  
19 the presiding officer of the Advisory Board of Athletic Trainers of  
20 that determination.

21 ARTICLE 5. STATE BOARD OF BARBER EXAMINERS

22 SECTION 5.01. Effective September 1, 2003, Subsection (a),  
23 Section 1601.051, Occupations Code, is amended to read as follows:

24 (a) The State Board of Barber Examiners consists of seven  
25 [~~six~~] members appointed by the governor with the advice and consent  
26 of the senate as follows:

27 (1) two members, each of whom:

1 (A) is engaged in the practice of barbering as a  
2 Class A barber and has been for at least five years before being  
3 appointed; and

4 (B) does not hold a barbershop permit;

5 (2) one member who:

6 (A) is a barbershop owner who holds a barbershop  
7 permit; and

8 (B) is engaged in the practice of barbering and  
9 has been for at least five years before being appointed;

10 (3) one member who holds a permit to conduct or operate  
11 a barber school; and

12 (4) three [~~two~~] members who represent the public.

13 SECTION 5.02. Effective September 1, 2003, Subsection (a),  
14 Section 1601.055, Occupations Code, is amended to read as follows:

15 (a) Members of the board serve staggered six-year terms,  
16 with the terms of two or three members expiring on the same date  
17 every two years.

18 SECTION 5.03. As soon as possible on or after September 1,  
19 2003, the governor shall appoint an additional public member to the  
20 State Board of Barber Examiners for a term expiring January 31,  
21 2009.

22 ARTICLE 6. COUNCIL ON CARDIOVASCULAR DISEASE AND STROKE

23 SECTION 6.01. Effective September 1, 2003, Section 93.002,  
24 Health and Safety Code, is amended to read as follows:

25 Sec. 93.002. APPOINTMENT OF COUNCIL; TERMS OF MEMBERS.

26 (a) The Council on Cardiovascular Disease and Stroke is composed  
27 of 11 [~~12~~] members appointed by the board.

1 (b) Members of the council serve staggered six-year terms  
2 with the terms of approximately one-third of the members expiring  
3 February 1 of each odd-numbered year.

4 SECTION 6.02. (a) Of the four positions on the Council on  
5 Cardiovascular Disease and Stroke that have terms scheduled to  
6 expire on February 1, 2005, one of the positions is abolished on  
7 September 1, 2003.

8 (b) On or before September 1, 2003, the four members whose  
9 terms are scheduled to expire on February 1, 2005, shall determine  
10 by unanimous agreement or by lot which of the positions shall be  
11 abolished on September 1, 2003, and shall inform the commissioner  
12 of public health of that determination.

13 ARTICLE 7. COMMODITY PRODUCERS BOARDS

14 SECTION 7.01. Effective September 1, 2003, Subsection (c),  
15 Section 41.011, Agriculture Code, is amended to read as follows:

16 (c) The petition must propose a [~~either a 6-member,~~  
17 ~~9-member, 12-member, or 15-member~~] board with an odd number of five  
18 to 15 members.

19 SECTION 7.02. Effective September 1, 2003, Subsection (b),  
20 Section 41.053, Agriculture Code, is amended to read as follows:

21 (b) Members of the initial board shall draw lots so that  
22 one-third, or as near one-third as possible, of the members shall  
23 hold office for two years, one-third, or as near one-third as  
24 possible, for four years, and one-third, or as near one-third as  
25 possible, for six years. Thereafter, members of the board serve for  
26 terms of six years.

ARTICLE 8. STATE BOARD OF DENTAL EXAMINERS

SECTION 8.01. Effective September 1, 2003, Subsection (a), Section 252.001, Occupations Code, is amended to read as follows:

(a) The State Board of Dental Examiners consists of 15 [~~18~~] members appointed by the governor with the advice and consent of the senate as follows:

(1) eight [~~10~~] reputable dentist members who reside in this state and have been actively engaged in the practice of dentistry for at least the five years preceding appointment;

(2) two reputable dental hygienist members who reside in this state and have been actively engaged in the practice of dental hygiene for at least the five years preceding appointment; and

(3) five [~~six~~] members who represent the public.

SECTION 8.02. (a) Of the four dentist positions on the State Board of Dental Examiners that have terms scheduled to expire on February 1, 2005, one of the positions is abolished on September 1, 2003. On or before September 1, 2003, the four dentist members whose terms are scheduled to expire on February 1, 2005, shall determine by unanimous agreement or by lot which of the four positions shall be abolished on September 1, 2003, and shall inform the president of the State Board of Dental Examiners of that determination.

(b) Of the three dentist positions on the State Board of Dental Examiners that have terms scheduled to expire on February 1, 2007, one of the positions is abolished on September 1, 2003. On or before September 1, 2003, the three dentist members whose terms are

1 scheduled to expire on February 1, 2007, shall determine by  
2 unanimous agreement or by lot which of the three positions shall be  
3 abolished on September 1, 2003, and shall inform the president of  
4 the State Board of Dental Examiners of that determination.

5 (c) Of the two public member positions on the State Board of  
6 Dental Examiners that have terms scheduled to expire on February 1,  
7 2009, one of the positions is abolished on September 1, 2003. On or  
8 before September 1, 2003, the two public members whose terms are  
9 scheduled to expire on February 1, 2009, shall determine by  
10 unanimous agreement or by lot which of the two positions shall be  
11 abolished on September 1, 2003, and shall inform the president of  
12 the State Board of Dental Examiners of that determination.

13 ARTICLE 9. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

14 SECTION 9.01. Effective September 1, 2003, Section 112.012,  
15 Human Resources Code, is amended to read as follows:

16 Sec. 112.012. MEMBERS. The members of the council shall be  
17 appointed by the governor in accordance with applicable federal  
18 developmental disability laws. The governor may appoint as many  
19 members to the council as is determined appropriate for the council  
20 to accomplish its purposes but must appoint, in total membership,  
21 an odd number of members to the council. Appointments to the  
22 council shall be made without regard to:

23 (1) the race, color, sex, religion, age, or national  
24 origin of the appointees; or

25 (2) the disability of the appointees, except as  
26 required by applicable federal developmental disability laws.

27 SECTION 9.02. Effective September 1, 2003, Subsection (a),



1 Section 112.013, Human Resources Code, is amended to read as  
2 follows:

3 (a) Members of the council appointed by the governor serve  
4 for staggered terms of six years with the term of one-third or  
5 approximately one-third of the members expiring on February 1 of  
6 each odd-numbered year.

7 SECTION 9.03. If the number of appointed positions on the  
8 Texas Council for Developmental Disabilities on September 1, 2003,  
9 is an even number, the governor, as soon as possible after that  
10 date, shall appoint an additional member to the council in  
11 accordance with federal developmental disability laws for a term  
12 expiring on February 1, 2009.

13 ARTICLE 10. TEXAS DIABETES COUNCIL

14 SECTION 10.01. Effective September 1, 2003, Section  
15 103.002, Health and Safety Code, is amended by amending Subsections  
16 (a) and (b) and adding Subsection (b-1) to read as follows:

17 (a) The Texas Diabetes Council is composed of 11 [~~12~~]  
18 citizen members appointed from the public and one representative  
19 each from the department, the Texas Education Agency, the Texas  
20 Department of Human Services, the Texas Commission for the Blind,  
21 and the Texas Rehabilitation Commission.

22 (b) The governor, with the advice and consent of the senate,  
23 shall appoint the following citizen members:

24 (1) a licensed physician with a specialization in  
25 treating diabetes;

26 (2) a registered nurse with a specialization in  
27 diabetes education and training;

1           (3) a registered and licensed dietitian with a  
2 specialization in the diabetes education field;

3           (4) a person with experience and training in public  
4 health policy;

5           (5) three [~~four~~] consumer members, with special  
6 consideration given to persons active in the Texas affiliates of  
7 the Juvenile Diabetes Foundation or the American Diabetes  
8 Association; and

9           (6) four members from the general public with  
10 expertise or demonstrated commitment to diabetes issues.

11         (b-1) In making appointments under this section, the  
12 governor shall attempt to appoint members of different minority  
13 groups including females, African-Americans, Hispanic-Americans,  
14 Native Americans, and Asian-Americans.

15         SECTION 10.02. Effective September 1, 2003, Subsection (a),  
16 Section 103.005, Health and Safety Code, is amended to read as  
17 follows:

18           (a) Council members appointed by the governor serve for  
19 staggered six-year terms, with the terms of three or four members  
20 expiring February 1 of each odd-numbered year.

21         SECTION 10.03. (a) Of the two consumer positions on the  
22 Texas Diabetes Council that have terms scheduled to expire on  
23 February 1, 2005, one of the positions is abolished on September 1,  
24 2003.

25           (b) On or before September 1, 2003, the two consumer members  
26 whose terms are scheduled to expire on February 1, 2005, shall  
27 determine by unanimous agreement or by lot which of the two

1 positions shall be abolished on September 1, 2003, and shall inform  
2 the chairman of the Texas Diabetes Council of that determination.

3 ARTICLE 11. TEXAS DISTINGUISHED SERVICE AWARDS COMMITTEE

4 SECTION 11.01. Effective September 1, 2003, Subsections (a)  
5 and (b), Section 3102.003, Government Code, are amended to read as  
6 follows:

7 (a) The committee consists of five [~~six~~] members appointed  
8 by the governor with the advice and consent of the senate.

9 (b) Committee members serve staggered six-year terms with  
10 the terms of one or two members expiring each odd-numbered year.

11 SECTION 11.02. (a) Of the two positions on the Texas  
12 Distinguished Service Awards Committee that have terms scheduled to  
13 expire on January 31, 2005, one of the positions is abolished on  
14 September 1, 2003.

15 (b) On or before September 1, 2003, the two members whose  
16 terms are scheduled to expire on January 31, 2005, shall determine  
17 by unanimous agreement or by lot which of the two positions shall be  
18 abolished on September 1, 2003, and shall inform the presiding  
19 officer of the Texas Distinguished Service Awards Committee of that  
20 determination.

21 ARTICLE 12. STATE BOARD FOR EDUCATOR CERTIFICATION

22 SECTION 12.01. Effective September 1, 2003, Subsection (a),  
23 Section 21.033, Education Code, is amended to read as follows:

24 (a) The State Board for Educator Certification is composed  
25 of 14 [~~15~~] members. The commissioner of education shall appoint an  
26 employee of the agency to represent the commissioner as a nonvoting  
27 member. The commissioner of higher education shall appoint an

1 employee of the Texas Higher Education Coordinating Board to  
2 represent the commissioner as a nonvoting member. The governor  
3 shall appoint a dean of a college of education in this state as a  
4 nonvoting member. The remaining 11 [~~12~~] members are appointed by  
5 the governor with the advice and consent of the senate, as follows:

6 (1) four members must be teachers employed in public  
7 schools;

8 (2) two members must be public school administrators;

9 (3) one member must be a public school counselor; and

10 (4) four [~~five~~] members must be citizens, three of  
11 whom are not and have not, in the five years preceding appointment,  
12 been employed by a public school district or by an educator  
13 preparation program in an institution of higher education and one  
14 [~~two~~] of whom is [~~are~~] not and has [~~have~~] not been employed by a  
15 public school district or by an educator preparation program in an  
16 institution of higher education.

17 SECTION 12.02. (a) Of the public member positions on the  
18 State Board for Educator Certification, the position of the public  
19 member whose term on the board is scheduled to expire February 1,  
20 2009, is abolished on September 1, 2003.

21 (b) If, of the public member positions on the State Board  
22 for Educator Certification, two or more public members of the board  
23 have terms scheduled to expire February 1, 2009, one of the  
24 positions is abolished on September 1, 2003. On or before September  
25 1, 2003, the public members whose terms are scheduled to expire  
26 February 1, 2009, shall determine by unanimous agreement or by lot  
27 which of the positions shall be abolished on September 1, 2003, and

1 shall inform the presiding officer of the State Board for Educator  
2 Certification of that determination.

3 ARTICLE 13. TEXAS EMANCIPATION JUNETEENTH CULTURAL AND HISTORICAL  
4 COMMISSION

5 SECTION 13.01. Effective September 1, 2003, Section  
6 448.003, Government Code, is amended to read as follows:

7 Sec. 448.003. COMPOSITION OF COMMISSION. The commission is  
8 composed of:

9 (1) five [~~six~~] public members appointed by the  
10 governor with the advice and consent of the senate;

11 (2) two members of the senate appointed by the  
12 lieutenant governor to serve as ex officio, nonvoting members;

13 (3) two members of the house of representatives  
14 appointed by the speaker of the house to serve as ex officio,  
15 nonvoting members; and

16 (4) the executive director of the Texas Historical  
17 Commission to serve as an ex officio, nonvoting member.

18 SECTION 13.02. Effective September 1, 2003, Section  
19 448.007, Government Code, is amended to read as follows:

20 Sec. 448.007. TERMS. Public members of the commission  
21 serve staggered terms of six years with the terms of approximately  
22 one-third of the members expiring on February 1 of each  
23 odd-numbered year.

24 SECTION 13.03. (a) Of the two positions on the Texas  
25 Emancipation Juneteenth Cultural and Historical Commission that  
26 have terms scheduled to expire on February 1, 2005, one of the  
27 positions is abolished on September 1, 2003.

1           (b) On or before September 1, 2003, the two members whose  
2 terms are scheduled to expire on February 1, 2005, shall determine  
3 by unanimous agreement or by lot which of the two positions shall be  
4 abolished on September 1, 2003, and shall inform the presiding  
5 officer of the Texas Emancipation Juneteenth Cultural and  
6 Historical Commission of that determination.

7           ARTICLE 14. TEXAS COMMISSION ON FIRE PROTECTION

8           SECTION 14.01. Effective September 1, 2003, Subsections (a)  
9 and (b), Section 419.004, Government Code, are amended to read as  
10 follows:

11           (a) The commission is composed of the following 13 [~~12~~]  
12 members:

13           (1) two members to be selected from a list of five  
14 names submitted by the Texas Fire Chiefs Association who are chief  
15 officers with a minimum rank that is equivalent to the position  
16 immediately below that of the fire chief and who are employed in  
17 fire departments as defined by Section 419.021 that are under the  
18 jurisdiction of the commission, at least one of whom must be the  
19 head of a fire department and one of whom must be employed by a  
20 political subdivision with a population of less than 50,000;

21           (2) two members to be selected from a list of five  
22 names submitted by the Texas State Association of Fire Fighters who  
23 are fire protection personnel as defined by Section 419.021 with  
24 the rank of battalion chief or below and who are employed in fire  
25 departments or other appropriate local authorities under the  
26 jurisdiction of the commission, one of whom must be employed by a  
27 political subdivision with a population of less than 50,000;

1           (3) two members to be selected from a list of five  
2 names submitted by the State Firemen's and Fire Marshals'  
3 Association of Texas who are volunteer fire chiefs or volunteer  
4 fire fighters;

5           (4) one certified fire protection engineer;

6           (5) one certified arson investigator or certified fire  
7 protection inspector;

8           (6) one fire protection instructor from an institution  
9 of higher education as defined by Section 61.003, Education Code;  
10 and

11           (7) four [~~three~~] public members.

12           (b) The members of the commission are appointed by the  
13 governor with the advice and consent of the senate for staggered  
14 terms of six years with four or five members' terms expiring  
15 February 1 of each odd-numbered year.

16           SECTION 14.02. As soon as possible on or after September 1,  
17 2003, the governor shall appoint an additional public member to the  
18 Texas Commission on Fire Protection for a term expiring on February  
19 1, 2009.

20           ARTICLE 15. TEXAS GUARANTEED STUDENT LOAN CORPORATION

21           SECTION 15.01. Effective September 1, 2003, Subsections (a)  
22 and (b), Section 57.13, Education Code, are amended to read as  
23 follows:

24           (a) The corporation is governed by a board of nine [~~10~~]  
25 directors appointed in accordance with this section.

26           (b) The governor, with the advice and consent of the senate,  
27 shall appoint nine members to the board. Four [~~Five~~] members must

1 have knowledge of or experience in finance, including management of  
2 funds or business operations. One member must be a student who is  
3 enrolled at a postsecondary educational institution for the number  
4 of credit hours required by the institution to be classified as a  
5 full-time student of the institution. Three members must be  
6 members of the faculty or administration of an eligible  
7 postsecondary educational institution, as defined by Section 57.46  
8 of this code.

9 SECTION 15.02. Effective September 1, 2003, Section 57.14,  
10 Education Code, is amended to read as follows:

11 Sec. 57.14. DIRECTORS' TERMS OF OFFICE. Members of the  
12 board appointed by the governor [~~or the commissioner of higher~~  
13 ~~education~~] serve for terms of six years, with the terms of two or  
14 three members expiring on January 31 of each odd-numbered year.

15 SECTION 15.03. (a) Of the positions on the board of the  
16 Texas Guaranteed Student Loan Corporation that must be filled by  
17 members with knowledge or experience in finance, the position of  
18 the member whose term on the board is next scheduled to expire is  
19 abolished on September 1, 2003.

20 (b) If, of the positions on the board of the Texas  
21 Guaranteed Student Loan Corporation that must be filled by members  
22 with knowledge or experience in finance, two or more members have  
23 terms next scheduled to expire, one of the positions is abolished on  
24 September 1, 2003. On or before September 1, 2003, the affected  
25 members whose terms are next scheduled to expire shall determine by  
26 unanimous agreement or by lot which of the positions shall be  
27 abolished on September 1, 2003, and shall inform the chairman of the



1 board of the Texas Guaranteed Student Loan Corporation of that  
2 determination.

3 ARTICLE 16. TEXAS BOARD OF HEALTH

4 SECTION 16.01. Effective September 1, 2003, Subsections (a)  
5 and (c), Section 11.005, Health and Safety Code, are amended to read  
6 as follows:

7 (a) The board is composed of seven [~~six~~] members appointed  
8 by the governor with the advice and consent of the senate.

9 (c) Four members of the board must have a demonstrated  
10 interest in the services provided by the department, and three  
11 [~~two~~] members must represent the public.

12 SECTION 16.02. Effective September 1, 2003, Section 11.007,  
13 Health and Safety Code, is amended to read as follows:

14 Sec. 11.007. TERMS. Board members serve for staggered  
15 six-year terms, with the terms of two or three members expiring  
16 February 1 of each odd-numbered year.

17 SECTION 16.03. As soon as possible on or after September 1,  
18 2003, the governor shall appoint an additional public member to the  
19 Texas Board of Health for a term expiring on February 1, 2009.

20 ARTICLE 17. TEXAS HEALTH BENEFITS PURCHASING COOPERATIVE

21 SECTION 17.01. Effective September 1, 2003, Subsections (b)  
22 and (c), Article 26.13, Insurance Code, are amended to read as  
23 follows:

24 (b) The Texas cooperative is administered by a five-member  
25 [~~six-member~~] board of trustees appointed by the governor with the  
26 advice and consent of the senate. Two [~~Three~~] members must  
27 represent employers, two members must represent employees, and one

1 member must represent the public.

2 (c) The appointed members of the board of trustees serve  
3 staggered six-year terms, with the terms of one or two members  
4 expiring February 1 of each odd-numbered year.

5 SECTION 17.02. The position of the employer member whose  
6 term on the board of trustees of the Texas Health Benefits  
7 Purchasing Cooperative is scheduled to expire on February 1, 2005,  
8 is abolished on September 1, 2003.

9 ARTICLE 18. TEXAS HIGHER EDUCATION COORDINATING BOARD

10 SECTION 18.01. Effective September 1, 2003, Section 61.022,  
11 Education Code, is amended to read as follows:

12 Sec. 61.022. MEMBERS OF BOARD; APPOINTMENT; TERMS OF  
13 OFFICE. The board shall consist of nine [~~18~~] members appointed by  
14 the governor so as to provide representation from all areas of the  
15 state with the advice and consent of the senate, and as the  
16 constitution provides. Members of the board serve staggered  
17 six-year terms. The terms of one-third of the members expire August  
18 31 of each odd-numbered year. [~~Of the initial appointments to the~~  
19 ~~board six shall be for terms which shall expire August 31, 1967, six~~  
20 ~~for terms which shall expire August 31, 1969, and six for terms~~  
21 ~~which shall expire on August 31, 1971, or at such time as their~~  
22 ~~successors are appointed and have qualified. Thereafter, the~~  
23 ~~governor shall appoint members for terms of six years. Members of~~  
24 ~~the Texas Commission on Higher Education are eligible for~~  
25 ~~appointment to the board.] No member may be employed  
26 professionally for remuneration in the field of education during  
27 his term of office.~~

1           SECTION 18.02. To achieve an orderly transition from 18 to 9  
2 positions on the Texas Higher Education Coordinating Board, the  
3 governor on August 31, 2003, or September 1, 2003, shall appoint  
4 only three persons to the coordinating board for terms expiring on  
5 August 31, 2009. On, or as soon as possible after, August 31, 2005,  
6 the governor shall appoint only four members to the coordinating  
7 board for terms expiring on August 31, 2011. On, or as soon as  
8 possible after, August 31, 2007, the governor shall appoint only  
9 two members to the coordinating board for terms expiring on August  
10 31, 2013. As terms on the coordinating board expire on and after  
11 August 31, 2009, the governor shall appoint three members to the  
12 coordinating board in accordance with Section 61.022, Education  
13 Code, as amended by this Act.

14           ARTICLE 19. TEXAS HISTORICAL COMMISSION

15           SECTION 19.01. Effective September 1, 2003, Subsections (b)  
16 and (c), Section 442.002, Government Code, are amended to read as  
17 follows:

18           (b) The commission is composed of 17 [~~18~~] members appointed  
19 by the governor with the advice and consent of the senate. One  
20 member must be a professional archeologist, one must be a  
21 professional historian, and one must be a licensed architect who  
22 has expertise in historic preservation and architectural history.  
23 Fourteen [~~Fifteen~~] members must be representatives of the general  
24 public. A person is not eligible for appointment as a public member  
25 of the commission if the person or the person's spouse:

26           (1) owns or controls, directly or indirectly, more  
27 than a 10 percent interest in a business entity or other

1 organization regulated by the commission or receiving funds other  
2 than grant funds from the commission; or

3 (2) uses or receives a substantial amount of tangible  
4 goods, services, or funds from the commission, other than  
5 compensation or reimbursement authorized by law for commission  
6 membership, attendance, or expenses.

7 (c) Members serve for staggered six-year terms, with the  
8 terms of approximately one-third of the members expiring February 1  
9 of each odd-numbered year.

10 SECTION 19.02. (a) Of the six positions on the Texas  
11 Historical Commission that have terms scheduled to expire on  
12 February 1, 2005, one of the positions is abolished on September 1,  
13 2003.

14 (b) On or before September 1, 2003, the public members whose  
15 terms are scheduled to expire on February 1, 2005, shall determine  
16 by unanimous agreement or by lot which public member's position  
17 shall be abolished on September 1, 2003, and shall inform the  
18 presiding officer of the Texas Historical Commission of that  
19 determination.

20 ARTICLE 20. COMMISSION ON HUMAN RIGHTS

21 SECTION 20.01. Effective September 1, 2003, Subsection (a),  
22 Section 461.051, Government Code, is amended to read as follows:

23 (a) The commission consists of five [~~six~~] members. One  
24 member of the commission shall be a representative of industry, one  
25 member shall be a representative of labor, and three [~~four~~]  
26 shall be representatives of the public.

27 SECTION 20.02. The position of the public member whose term

1 on the Commission on Human Rights is scheduled to expire on  
2 September 24, 2003, is abolished on September 1, 2003.

3 ARTICLE 21. TEXAS BOARD OF HUMAN SERVICES

4 SECTION 21.01. Effective September 1, 2003, Subsections  
5 (b), (c), and (e), Section 21.003, Human Resources Code, are  
6 amended to read as follows:

7 (b) The board is composed of five [~~six~~] members appointed by  
8 the governor with the advice and consent of the senate and  
9 representing all geographic regions of the state. To qualify for an  
10 appointment to the board, a person must have demonstrated an  
11 interest in and knowledge of human services.

12 (c) Members of the board serve for staggered terms of six  
13 years with the term of one or two members expiring on January 20 of  
14 each odd-numbered year.

15 (e) Three [~~Four~~] members of the board constitute a quorum  
16 for the transaction of business.

17 SECTION 21.02. (a) Of the two positions on the Texas Board  
18 of Human Services that have terms scheduled to expire on January 20,  
19 2005, one of the positions is abolished on September 1, 2003.

20 (b) On or before September 1, 2003, the two members whose  
21 terms are scheduled to expire on January 20, 2005, shall determine  
22 by unanimous agreement or by lot which of the two positions shall be  
23 abolished on September 1, 2003, and shall inform the presiding  
24 officer of the Texas Board of Human Services of that determination.

25 ARTICLE 22. DEPARTMENT OF INFORMATION RESOURCES

26 SECTION 22.01. Effective September 1, 2003, Subsections (a)  
27 and (b), Section 2054.021, Government Code, are amended to read as

1 follows:

2 (a) The department is governed by a board composed of seven  
3 [~~six~~] voting members appointed by the governor with the advice and  
4 consent of the senate. One member must be employed by an  
5 institution of higher education as defined by Section 61.003,  
6 Education Code.

7 (b) Voting members of the board serve for staggered six-year  
8 terms with two or three members' terms expiring February 1 of each  
9 odd-numbered year.

10 SECTION 22.02. As soon as possible on or after September 1,  
11 2003, the governor shall appoint an additional member to the board  
12 of the Department of Information Resources for a term expiring  
13 February 1, 2009.

14 ARTICLE 23. TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

15 SECTION 23.01. Effective September 1, 2003, Subsection (a),  
16 Section 1071.051 Occupations Code, is amended to read as follows:

17 (a) The Texas Board of Professional Land Surveying consists  
18 of nine [~~10~~] members as follows:

19 (1) the commissioner;

20 (2) two licensed state land surveyor members actively  
21 engaged in the practice of state land surveying for not less than  
22 the five years preceding appointment;

23 (3) three [~~four~~] registered professional land  
24 surveyor members actively engaged in the practice of professional  
25 surveying in this state for not less than the five years preceding  
26 appointment; and

27 (4) three members who represent the public.

1 SECTION 23.02. Effective September 1, 2003, Subsection (a),  
2 Section 1071.054, Occupations Code, is amended to read as follows:

3 (a) Members of the board appointed by the governor serve  
4 staggered six-year terms, with the terms of approximately one-third  
5 of those members expiring on January 31 of each odd-numbered year.

6 SECTION 23.03. Of the four positions on the Texas Board of  
7 Professional Land Surveying held by registered professional land  
8 surveyor members, one of the positions is abolished on September 1,  
9 2003. On or before September 1, 2003, the four members who hold  
10 those positions shall determine by unanimous agreement or by lot  
11 which of the four positions is abolished on September 1, 2003, and  
12 shall inform the presiding officer of the Texas Board of  
13 Professional Land Surveying of that determination.

14 ARTICLE 24. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

15 SECTION 24.01. Effective September 1, 2003, Subsection (a),  
16 Section 441.001, Government Code, is amended to read as follows:

17 (a) The Texas State Library and Archives Commission is  
18 composed of seven [~~six~~] members appointed by the governor with the  
19 advice and consent of the senate. All seven [~~six~~] members must be  
20 representatives of the general public. A person is not eligible for  
21 appointment as a member of the commission if the person or the  
22 person's spouse:

23 (1) is registered, certified, or licensed by an  
24 occupational regulatory agency in the field of library or  
25 information science;

26 (2) is employed by or participates in the management  
27 of a business entity or other organization regulated by the

1 commission or receiving funds from the commission;

2 (3) owns or controls, directly or indirectly, more  
3 than a 10 percent interest in a business entity or other  
4 organization regulated by the commission or receiving funds from  
5 the commission; or

6 (4) uses or receives a substantial amount of tangible  
7 goods, services, or funds from the commission, other than  
8 compensation or reimbursement authorized by law for commission  
9 membership, attendance, or expenses.

10 SECTION 24.02. As soon as possible on or after September 1,  
11 2003, the governor shall appoint an additional member to the Texas  
12 State Library and Archives Commission for a term expiring September  
13 28, 2007.

14 ARTICLE 25. TEXAS COMMISSION OF LICENSING AND REGULATION

15 SECTION 25.01. Effective September 1, 2003, Subsection (a),  
16 Section 51.052, Occupations Code, is amended to read as follows:

17 (a) The commission consists of five [~~six~~] members appointed  
18 by the governor with the advice and consent of the senate.

19 SECTION 25.02. Effective September 1, 2003, Subsection (a),  
20 Section 51.055, Occupations Code, is amended to read as follows:

21 (a) Members of the commission serve staggered six-year  
22 terms. The terms of one or two members expire on February 1 of each  
23 odd-numbered year.

24 SECTION 25.03. (a) Of the two positions on the Texas  
25 Commission of Licensing and Regulation that have terms scheduled to  
26 expire on February 1, 2005, one of the positions is abolished on  
27 September 1, 2003.



1 (b) On or before September 1, 2003, the two members whose  
2 terms are scheduled to expire on February 1, 2005, shall determine  
3 by unanimous agreement or by lot which of the two positions shall be  
4 abolished on September 1, 2003, and shall inform the presiding  
5 officer of the Texas Commission of Licensing and Regulation of that  
6 determination.

7 ARTICLE 26. TEXAS STATE BOARD OF MEDICAL EXAMINERS

8 SECTION 26.01. Effective September 1, 2003, Subsection (a),  
9 Section 152.002, Occupations Code, is amended to read as follows:

10 (a) The board consists of 19 [~~18~~] members appointed by the  
11 governor with the advice and consent of the senate as follows:

12 (1) twelve members who are learned and eminent  
13 physicians licensed in this state for at least three years before  
14 the appointment, nine of whom must be graduates of a reputable  
15 medical school or college with a degree of doctor of medicine (M.D.)  
16 and three of whom must be graduates of a reputable medical school or  
17 college with a degree of doctor of osteopathic medicine (D.O.); and

18 (2) seven [~~six~~] members who represent the public.

19 SECTION 26.02. As soon as possible on or after September 1,  
20 2003, the governor shall appoint an additional public member to the  
21 Texas State Board of Medical Examiners for a term expiring April 14,  
22 2009.

23 ARTICLE 27. TEXAS COUNCIL ON OFFENDERS WITH MENTAL IMPAIRMENTS

24 SECTION 27.01. Effective September 1, 2003, Subsections (a)  
25 and (b), Section 614.002, Health and Safety Code, are amended to  
26 read as follows:

27 (a) The Texas Council on Offenders with Mental Impairments

1 is composed of 31 [~~30~~] members.

2 (b) The governor shall appoint, with the advice and consent  
3 of the senate:

4 (1) four at-large members who have expertise in mental  
5 health, mental retardation, or developmental disabilities, one of  
6 whom must be a psychiatrist;

7 (2) one at-large member who is the judge of a court  
8 with criminal jurisdiction;

9 (3) one at-large member who is a prosecuting attorney;

10 (4) one at-large member who is a criminal defense  
11 attorney;

12 (5) one at-large member from an established pretrial  
13 services agency; [~~and~~]

14 (6) one at-large member who has expertise in the  
15 criminal justice system; and

16 (7) one at-large member who represents the general  
17 public.

18 SECTION 27.02. Effective September 1, 2003, Section  
19 614.004, Health and Safety Code, is amended to read as follows:

20 Sec. 614.004. TERMS. The at-large members of the council  
21 serve for staggered six-year terms with the terms of approximately  
22 one-third of the at-large members expiring on February 1 of each  
23 odd-numbered year.

24 SECTION 27.03. As soon as possible on or after September 1,  
25 2003, the governor shall appoint a public at-large member to the  
26 Texas Council on Offenders with Mental Impairments for a term  
27 expiring February 1, 2009.

1           ARTICLE 28. TEXAS MILITARY FACILITIES COMMISSION

2           SECTION 28.01. Effective September 1, 2003, Subsection (a),  
3 Section 435.004, Government Code, is amended to read as follows:

4           (a) The commission is composed of:

5                 (1) one senior officer of the Texas National Guard who  
6 is appointed by the governor with the advice and consent of the  
7 senate from a list submitted by the adjutant general and who must be  
8 actively serving in the Texas National Guard at the time of  
9 appointment; and

10                (2) six [~~five~~] members of the general public who are  
11 appointed by the governor with the advice and consent of the senate,  
12 who must not be actively serving in the Texas National Guard while  
13 serving as members of the commission, and two of whom must have  
14 experience in architecture, civil engineering, or construction  
15 management.

16           SECTION 28.02. As soon as possible on or after September 1,  
17 2003, the governor shall appoint an additional public member to the  
18 Texas Military Facilities Commission for a term expiring April 30,  
19 2009.

20           ARTICLE 29. OPERATION GAME THIEF COMMITTEE

21           SECTION 29.01. Effective September 1, 2003, Subsections (a)  
22 and (b), Section 12.202, Parks and Wildlife Code, are amended to  
23 read as follows:

24           (a) The director shall appoint an Operation Game Thief  
25 Committee composed of 11 [~~nine~~] members to administer the operation  
26 game thief fund and to make reward payments and death benefit  
27 payments from that fund. The director shall appoint persons who are

1 not employees of the department and who have a demonstrated  
2 interest in game and fish conservation. The director may consider  
3 the recommendations or nominations of any club or association. The  
4 director shall designate one of the members as chairman of the  
5 committee. The director shall ~~[may]~~ appoint a former committee  
6 member to serve as chairman emeritus ~~[if the director determines~~  
7 ~~the appointment is in the best interest of the operation game thief~~  
8 ~~program]~~. The chairman emeritus has the same rights and duties as  
9 any other ~~[a]~~ committee member. The director or an employee  
10 designated by the director for that purpose shall serve as  
11 secretary to the committee. A member of the committee serves  
12 without compensation.

13 (b) Each member of the committee, including the chairman  
14 emeritus, serves a term of six years. The terms of approximately  
15 one-third of the members, including ~~[excluding]~~ the chairman  
16 emeritus, expire on January 31 of each odd-numbered year. ~~[The term~~  
17 ~~of the chairman emeritus expires on the date of the sixth~~  
18 ~~anniversary after the day the chairman emeritus is appointed.]~~ The  
19 director may reappoint members.

20 SECTION 29.02. Effective September 1, 2003, Subsection (d),  
21 Section 12.202, Parks and Wildlife Code, is repealed.

22 SECTION 29.03. (a) As soon as possible on or after  
23 September 1, 2003, the executive director of the Parks and Wildlife  
24 Department:

25 (1) shall appoint an additional member to the  
26 Operation Game Thief Committee for a term expiring January 31,  
27 2007; and

1           (2) shall appoint a chairman emeritus to the Operation  
2 Game Thief Committee for a term expiring January 31, 2009, if there  
3 is not currently a chairman emeritus serving on the committee.

4           (b) If there is a chairman emeritus currently serving on the  
5 Operation Game Thief Committee, the term of the currently serving  
6 chairman emeritus expires January 31, 2009.

7           ARTICLE 30. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS

8           SECTION 30.01. Effective September 1, 2003, Subsection (a),  
9 Section 605.052, Occupations Code, is amended to read as follows:

10          (a) The board consists of seven [~~six~~] members appointed by  
11 the governor with the advice and consent of the senate as follows:

12           (1) one licensed orthotist member who has practiced  
13 orthotics for the five years preceding the date of appointment;

14           (2) one licensed prosthetist member who has practiced  
15 prosthetics for the five years preceding the date of appointment;

16           (3) one licensed prosthetist orthotist member who has  
17 practiced orthotics and prosthetics for the five years preceding  
18 the date of appointment;

19           (4) one member who is a representative of the public  
20 who uses an orthosis;

21           (5) one member who is a representative of the public  
22 who uses a prosthesis; and

23           (6) two members [~~one member~~] who are representatives  
24 [~~is a representative~~] of the public who do [~~does~~] not use an  
25 orthosis or prosthesis.

26          SECTION 30.02. Effective September 1, 2003, Subsection (a),  
27 Section 605.055, Occupations Code, is amended to read as follows:

1           (a) Members of the board serve staggered six-year terms.  
2 The terms of two or three members expire on February 1 of each  
3 odd-numbered year.

4           SECTION 30.03. As soon as possible on or after September 1,  
5 2003, the governor shall appoint an additional public member to the  
6 Texas Board of Orthotics and Prosthetics under Subdivision (6),  
7 Subsection (a), Section 605.052, Occupations Code, as amended by  
8 this Act, for a term expiring on February 1, 2009.

9           ARTICLE 31. BOARD OF PARDONS AND PAROLES POLICY BOARD

10           SECTION 31.01. Effective September 1, 2003, Subsections (a)  
11 and (b), Section 508.036, Government Code, are amended to read as  
12 follows:

13           (a) The governor shall designate seven [~~six~~] members of the  
14 board to serve as the Board of Pardons and Paroles Policy Board.  
15 The governor shall designate the presiding officer of the board as  
16 one of the seven [~~six~~] members of the policy board, and the  
17 presiding officer of the board shall serve as presiding officer of  
18 the policy board. Service on the policy board is an additional duty  
19 of office for members appointed to the policy board.

20           (b) Members of the board designated as members of the policy  
21 board serve on the policy board for six-year terms that are  
22 concurrent with their six-year terms on the board, with the service  
23 of two or three members expiring February 1 of each odd-numbered  
24 year.

25           SECTION 31.02. As soon as possible on or after September 1,  
26 2003, the governor shall appoint an additional member to the Board  
27 of Pardons and Paroles Policy Board under Subsection (a), Section

1 508.036, Government Code, as amended by this Act, for a term  
2 expiring February 1, 2009.

3 ARTICLE 32. POLYGRAPH EXAMINERS BOARD

4 SECTION 32.01. Effective September 1, 2003, Subsection (a),  
5 Section 1703.051, Occupations Code, is amended to read as follows:

6 (a) The Polygraph Examiners Board consists of seven [~~six~~]  
7 members appointed by the governor with the advice and consent of the  
8 senate as follows:

9 (1) two polygraph examiner members who are qualified  
10 polygraph examiners for a governmental law enforcement agency[~~, one~~  
11 ~~of whom must be the supervisor of the department's polygraph~~  
12 ~~section~~];

13 (2) two polygraph examiner members who are qualified  
14 polygraph examiners in the commercial field; and

15 (3) three [~~two~~] members who represent the public.

16 SECTION 32.02. As soon as possible on or after September 1,  
17 2003, the governor shall appoint an additional public member to the  
18 Polygraph Examiners Board for a term expiring June 18, 2009.

19 ARTICLE 33. PRIVATE SECTOR PRISON INDUSTRIES

20 OVERSIGHT AUTHORITY

21 SECTION 33.01. Effective September 1, 2003, Subsection (a),  
22 Section 497.052, Government Code, is amended to read as follows:

23 (a) The authority is composed of eight [~~nine~~] members  
24 appointed by the governor:

25 (1) one of whom is representative of organized labor;

26 (2) one of whom is representative of employers;

27 (3) one of whom is representative of groups advocating

1 the rights of victims of criminal offenses;

2 (4) one of whom is representative of groups advocating  
3 the rights of inmates;

4 (5) one of whom is experienced in the field of  
5 vocational rehabilitation; and

6 (6) three [~~four~~] of whom are public members.

7 SECTION 33.02. Effective September 1, 2003, Section  
8 497.053, Government Code, is amended to read as follows:

9 Sec. 497.053. TERMS. Appointed members of the authority  
10 serve staggered six-year terms, with two or three members' terms  
11 expiring on February 1 of each odd-numbered year.

12 SECTION 33.03. (a) Of the two public positions on the  
13 Private Sector Prison Industries Oversight Authority that have  
14 terms scheduled to expire on February 1, 2005, one of the positions  
15 is abolished on September 1, 2003.

16 (b) On or before September 1, 2003, the two public members  
17 whose terms are scheduled to expire on February 1, 2005, shall  
18 determine by unanimous agreement or by lot which of the two  
19 positions shall be abolished on September 1, 2003, and shall inform  
20 the presiding officer of the Private Sector Prison Industries  
21 Oversight Authority of that determination.

22 ARTICLE 34. TEXAS COMMISSION ON PRIVATE SECURITY

23 SECTION 34.01. Effective September 1, 2003, Subsection (a),  
24 Section 1702.021, Occupations Code, is amended to read as follows:

25 (a) The Texas Commission on Private Security consists of  
26 eight [~~nine~~] members appointed by the governor with the advice and  
27 consent of the senate as follows:



1           (1) four [~~five~~] public members, each of whom is a  
2 citizen of the United States;

3           (2) one member who:

4                 (A) is licensed under this chapter as a private  
5 investigator;

6                 (B) has been engaged as a private investigator  
7 for at least the five years preceding appointment; and

8                 (C) is not employed by a person who employs  
9 another member of the commission;

10          (3) one member who is licensed under this chapter as an  
11 alarm systems company and who:

12                 (A) has been engaged as an alarm systems company  
13 for at least the five years preceding appointment; and

14                 (B) is not employed by a person who employs  
15 another member of the commission;

16          (4) one member who:

17                 (A) is licensed under this chapter as the owner  
18 or operator of a guard company;

19                 (B) has been the owner or operator of the guard  
20 company for at least the five years preceding appointment; and

21                 (C) is not employed by a person who employs  
22 another member of the commission; and

23          (5) one member who:

24                 (A) holds a license, security officer  
25 commission, or registration under this chapter;

26                 (B) has been engaged in activity regulated by the  
27 commission under this chapter for at least the five years preceding

1 appointment; and

2 (C) is not employed by a person who employs  
3 another member of the commission.

4 SECTION 34.02. Effective September 1, 2003, Subsection (a),  
5 Section 1702.025, Occupations Code, is amended to read as follows:

6 (a) The appointed commission members serve staggered  
7 six-year terms, with the terms of two or three appointed members  
8 expiring on January 31 of each odd-numbered year.

9 SECTION 34.03. (a) Of the public member positions on the  
10 Texas Commission on Private Security, the position of the public  
11 member whose term on the board is next scheduled to expire is  
12 abolished on September 1, 2003.

13 (b) If, of the public member positions on the Texas  
14 Commission on Private Security, two or more public members of the  
15 board have terms next scheduled to expire, one of the positions is  
16 abolished on September 1, 2003. On or before September 1, 2003, the  
17 public members whose terms are next scheduled to expire shall  
18 determine by unanimous agreement or by lot which of the positions  
19 shall be abolished on September 1, 2003, and shall inform the  
20 presiding officer of the Texas Commission on Private Security of  
21 that determination.

22 ARTICLE 35. PRODUCE RECOVERY FUND BOARD

23 SECTION 35.01. Effective September 1, 2003, Subsection (a),  
24 Section 103.003, Agriculture Code, is amended to read as follows:

25 (a) The Produce Recovery Fund Board is composed of five  
26 [~~six~~] members appointed by the governor with the advice and consent  
27 of the senate. Two members must be producers, one [~~two~~] must be a

1 license holder [~~holders~~] licensed under Chapter 101, and two must  
2 be members of the general public.

3 SECTION 35.02. The position of the license holder member  
4 whose term on the Produce Recovery Fund Board is scheduled to expire  
5 on January 31, 2005, is abolished on September 1, 2003.

6 ARTICLE 36. BOARD OF PROTECTIVE AND REGULATORY SERVICES

7 SECTION 36.01. Effective September 1, 2003, Subsections (a)  
8 and (b), Section 40.021, Human Resources Code, are amended to read  
9 as follows:

10 (a) The board is composed of five [~~six~~] members appointed by  
11 the governor with the advice and consent of the senate. The  
12 governor shall designate one member to be the presiding officer of  
13 the board to serve in that capacity at the pleasure of the governor.

14 (b) Three [~~Four~~] members of the board must have a  
15 demonstrated interest in the services provided by the department,  
16 and two members must represent the public.

17 SECTION 36.02. Effective September 1, 2003, Section 40.024,  
18 Human Resources Code, is amended to read as follows:

19 Sec. 40.024. BOARD TERMS. Members of the board serve  
20 six-year terms, with the terms of one or two members expiring  
21 February 1 of each odd-numbered year.

22 SECTION 36.03. (a) The position of the member of the Board  
23 of Protective and Regulatory Services who has a demonstrated  
24 interest in the services provided by the Department of Protective  
25 and Regulatory Services whose term on the board is scheduled to  
26 expire on February 1, 2005, is abolished on September 1, 2003.

27 (b) If more than one member of the Board of Protective and

1 Regulatory Services who has a demonstrated interest in the services  
2 provided by the Department of Protective and Regulatory Services  
3 has a term scheduled to expire on February 1, 2005, one of the  
4 positions is abolished on September 1, 2003. On or before September  
5 1, 2003, the members whose terms are scheduled to expire on February  
6 1, 2005, shall determine by unanimous agreement or by lot which of  
7 the two positions shall be abolished on September 1, 2003, and shall  
8 inform the presiding officer of the Board of Protective and  
9 Regulatory Services of that determination.

10 ARTICLE 37. TEXAS RACING COMMISSION

11 SECTION 37.01. Effective September 1, 2003, Subsection (a),  
12 Section 2.02, Texas Racing Act (Article 179e, Vernon's Texas Civil  
13 Statutes), is amended to read as follows:

14 (a) The commission consists of seven [~~six~~] members  
15 appointed by the governor with the advice and consent of the senate  
16 and two ex officio members who shall have the right to vote. The ex  
17 officio members are:

18 (1) the chairman of the Public Safety Commission or a  
19 member of the Public Safety Commission designated by the chairman  
20 of the Public Safety Commission; and

21 (2) the comptroller of public accounts or the  
22 comptroller's designee.

23 SECTION 37.02. Effective September 1, 2003, Subsection (a),  
24 Section 2.03, Texas Racing Act (Article 179e, Vernon's Texas Civil  
25 Statutes), is amended to read as follows:

26 (a) Appointed members hold office for staggered terms of six  
27 years with two or three members' terms expiring February 1 of each

1 odd-numbered year. A member holds office until that member's  
2 successor is appointed and qualifies.

3 SECTION 37.03. Effective September 1, 2003, Subsection (a),  
4 Section 2.05, Texas Racing Act (Article 179e, Vernon's Texas Civil  
5 Statutes), is amended to read as follows:

6 (a) Five [~~Four~~] of the appointed members of the commission  
7 must be representatives of the general public and have general  
8 knowledge of business or agribusiness. At least one of those  
9 appointed members may be a veterinarian, and being licensed as a  
10 veterinarian satisfies the requirement that the person have general  
11 knowledge of business or agribusiness. One additional appointed  
12 member must have special knowledge or experience related to  
13 greyhound racing and one additional appointed member must have  
14 special knowledge or experience related to horse racing. A person  
15 is not eligible for appointment as a member of the commission if the  
16 person or the person's spouse:

17 (1) is licensed by the commission, except as a  
18 commissioner;

19 (2) is employed by the commission or participates in  
20 the management of a business entity or other organization regulated  
21 by the commission or receiving funds from or through the  
22 commission;

23 (3) owns or controls, directly or indirectly, more  
24 than a 10 percent interest in a business entity or other  
25 organization regulated by the commission or receiving funds from or  
26 through the commission; or

27 (4) uses or receives a substantial amount of tangible

1 goods, services, or funds from or through the commission, other  
2 than compensation or reimbursement authorized by law for commission  
3 membership, attendance, or expenses.

4 SECTION 37.04. As soon as possible on or after September 1,  
5 2003, the governor shall appoint an additional public member to the  
6 Texas Racing Commission for a term expiring February 1, 2009.

7 ARTICLE 38. TEXAS REAL ESTATE BROKER-LAWYER COMMITTEE

8 SECTION 38.01. Effective September 1, 2003, Subsection (a),  
9 Section 1101.252, Occupations Code, is amended to read as follows:

10 (a) The Texas Real Estate Broker-Lawyer Committee consists  
11 of 13 [~~12~~] members appointed as follows:

12 (1) six members appointed by the commission; [~~and~~]

13 (2) six members of the State Bar of Texas appointed by  
14 the president of the state bar; and

15 (3) one public member appointed by the governor.

16 SECTION 38.02. Effective September 1, 2003, Subsection (a),  
17 Section 1101.253, Occupations Code, is amended to read as follows:

18 (a) Committee members serve staggered six-year terms, with  
19 the terms of two commission appointees and two State Bar of Texas  
20 appointees expiring every two years and the term of the public  
21 member expiring every six years.

22 SECTION 38.03. As soon as possible after September 1, 2003,  
23 the governor shall appoint a public member to the Texas Real Estate  
24 Broker-Lawyer Committee under Subdivision (3), Subsection (a),  
25 Section 1101.252, Occupations Code, as amended by this Act, for a  
26 term expiring on the date that the terms of lawyers and brokers on  
27 the committee whose terms expire in 2009 expire.

ARTICLE 39. TEXAS REHABILITATION COMMISSION

SECTION 39.01. Effective September 1, 2003, Subsection (a), Section 111.013, Human Resources Code, is amended to read as follows:

(a) The board of the Texas Rehabilitation Commission is composed of five [~~six~~] members appointed by the governor with the advice and consent of the senate. Members serve for staggered terms of six years with the terms of one or two members expiring every two years.

SECTION 39.02. (a) Of the two positions on the board of the Texas Rehabilitation Commission that have terms scheduled to expire on August 31, 2005, one of the positions is abolished on September 1, 2003.

(b) On or before September 1, 2003, the two members whose terms are scheduled to expire on August 31, 2005, shall determine by unanimous agreement or by lot which of the two positions shall be abolished and shall inform the presiding officer of the board of the Texas Rehabilitation Commission of that determination.

ARTICLE 40. RISK MANAGEMENT BOARD

SECTION 40.01. Effective September 1, 2003, Subsections (b) and (c), Section 412.021, Labor Code, are amended to read as follows:

(b) The board is composed of five [~~six~~] members appointed by the governor.

(c) Members of the board hold office for staggered terms of six years with one or two members' terms expiring February 1 of each odd-numbered year. A member appointed to fill a vacancy shall hold

1 office for the remainder of that term.

2 SECTION 40.02. (a) Of the two positions on the risk  
3 management board that have terms scheduled to expire on February 1,  
4 2005, one of the positions is abolished on September 1, 2003.

5 (b) On or before September 1, 2003, the two members whose  
6 terms are scheduled to expire on February 1, 2005, shall determine  
7 by unanimous agreement or by lot which of the two positions shall be  
8 abolished on September 1, 2003, and shall inform the presiding  
9 officer of the risk management board of that determination.

10 ARTICLE 41. STATEWIDE RURAL HEALTH CARE SYSTEM

11 SECTION 41.01. Effective September 1, 2003, Subsections (a)  
12 and (b), Section 845.101, Insurance Code, are amended to read as  
13 follows:

14 (a) The system is governed by a board of directors that  
15 consists of 17 [~~18~~] members. Notwithstanding the Texas Non-Profit  
16 Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil  
17 Statutes), appointments to the board shall be made as provided by  
18 this section.

19 (b) The participating hospital providers shall elect, by a  
20 majority vote of the governing bodies of the participating hospital  
21 providers, five [~~six~~] members who represent the participating  
22 hospital providers.

23 SECTION 41.02. Effective September 1, 2003, Subsection (a),  
24 Section 845.102, Insurance Code, is amended to read as follows:

25 (a) Members of the board serve staggered six-year terms.  
26 The terms of five or six members expire December 1 of each  
27 even-numbered year.



1 SECTION 41.03. (a) Of the two positions on the board of the  
2 statewide rural health care system elected by the participating  
3 hospital providers that have terms scheduled to expire on December  
4 1, 2004, one of the positions is abolished on September 1, 2003.

5 (b) On or before September 1, 2003, the two members elected  
6 by the participating hospital providers to the board of the  
7 statewide rural health care system whose terms are scheduled to  
8 expire on December 1, 2004, shall determine by unanimous agreement  
9 or by lot which of the two positions shall be abolished on September  
10 1, 2003, and shall inform the presiding officer of the board of the  
11 statewide rural health care system of that determination.

12 ARTICLE 42. COUNCIL ON SEX OFFENDER TREATMENT

13 SECTION 42.01. Effective September 1, 2003, Subsection (a),  
14 Section 3, Chapter 462, Acts of the 68th Legislature, Regular  
15 Session, 1983 (Article 4413(51), Vernon's Texas Civil Statutes), is  
16 amended to read as follows:

17 (a) The council is composed of seven [~~six~~] part-time  
18 members, including three [~~two~~] members who are representatives of  
19 the general public and four members each of whom meets the council's  
20 requirements for registration as a sex offender treatment provider.  
21 A person is not eligible for appointment as a public member if the  
22 person meets the council's requirements for registration as a sex  
23 offender treatment provider or if the person or the person's  
24 spouse:

25 (1) is registered, certified, or licensed by an  
26 occupational regulatory agency in the field of sex offender  
27 treatment;

1           (2) is employed by or participates in the management  
2 of a business entity or other organization regulated by the council  
3 or receiving funds from the council;

4           (3) owns or controls, directly or indirectly, more  
5 than a 10 percent interest in a business entity or other  
6 organization regulated by the council or receiving funds from the  
7 council; or

8           (4) uses or receives a substantial amount of tangible  
9 goods, services, or funds from the council, other than compensation  
10 or reimbursement authorized by law for council membership,  
11 attendance, or expenses.

12           SECTION 42.02. Effective September 1, 2003, Subsection (a),  
13 Section 4, Chapter 462, Acts of the 68th Legislature, Regular  
14 Session, 1983 (Article 4413(51), Vernon's Texas Civil Statutes), is  
15 amended to read as follows:

16           (a) Members of the council hold office for staggered terms  
17 of six years, with two or three members' terms expiring February 1  
18 of each odd-numbered year.

19           SECTION 42.03. As soon as possible on or after September 1,  
20 2003, the governor shall appoint an additional public member to the  
21 Council on Sex Offender Treatment for a term expiring on February 1,  
22 2009.

23           ARTICLE 43. BOARD OF TAX PROFESSIONAL EXAMINERS

24           SECTION 43.01. Effective September 1, 2003, Section  
25 1151.051, Occupations Code, is amended to read as follows:

26           Sec. 1151.051. BOARD MEMBERSHIP; ELIGIBILITY. (a) The  
27 Board of Tax Professional Examiners consists of five [~~six~~] members,

1 four of whom must be tax professionals and one of whom must be a  
2 representative of the general public. Members of the board are  
3 appointed by the governor with the advice and consent of the senate.  
4 A vacancy on the board is filled in the same manner for the  
5 unexpired portion of the term.

6 (b) To be eligible to serve on the board as a tax  
7 professional member, a person must:

8 (1) be actively engaged in property tax  
9 administration;

10 (2) have at least five years' experience in appraisal,  
11 assessment, or collection; and

12 (3) be certified under this chapter as a registered  
13 professional appraiser, registered Texas collector, or registered  
14 Texas assessor.

15 (c) A person is not eligible for appointment as a public  
16 member of the board if the person or the person's spouse:

17 (1) is registered, certified, or licensed by a  
18 regulatory agency in the field of property tax appraisal,  
19 assessment, or collection;

20 (2) is employed by or participates in the management  
21 of a business entity or other organization regulated by or  
22 receiving money from the board;

23 (3) owns or controls, directly or indirectly, more  
24 than a 10 percent interest in a business entity or other  
25 organization regulated by or receiving money from the board; or

26 (4) uses or receives a substantial amount of tangible  
27 goods, services, or money from the board other than compensation or

1 reimbursement authorized by law for board membership, attendance,  
2 or expenses.

3 SECTION 43.02. Effective September 1, 2003, Section  
4 1151.052, Occupations Code, is amended to read as follows:

5 Sec. 1151.052. TERMS. Board members serve six-year terms,  
6 with the terms of one or two members expiring on March 1 of each  
7 odd-numbered year.

8 SECTION 43.03. (a) The two positions on the Board of Tax  
9 Professional Examiners that have terms scheduled to expire on March  
10 1, 2005, are abolished on September 1, 2003.

11 (b) As soon as possible on or after September 1, 2003, the  
12 governor shall appoint a member representing the general public to  
13 the Board of Tax Professional Examiners for a term expiring on March  
14 1, 2005.

15 ARTICLE 44. TEXAS-ISRAEL EXCHANGE FUND BOARD

16 SECTION 44.01. Effective September 1, 2003, Subsections (a)  
17 and (d), Section 45.006, Agriculture Code, are amended to read as  
18 follows:

19 (a) The Texas-Israel Exchange Fund Board is created and  
20 composed of:

- 21 (1) the commissioner of agriculture;
- 22 (2) five [~~six~~] members appointed by the commissioner;
- 23 (3) one member appointed by the executive officer of  
24 The University of Texas System;
- 25 (4) one member appointed by the executive officer of  
26 The Texas A&M University System;
- 27 (5) one member appointed by the executive officer of

1 Texas Tech University; and

2 (6) as nonvoting, ex officio members, the lieutenant  
3 governor, the speaker of the house of representatives, and the  
4 comptroller or their designees.

5 (d) Appointed board members serve for staggered six-year  
6 terms. The terms of approximately one-third of the appointed board  
7 members expire on February 1 of each odd-numbered year.

8 SECTION 44.02. (a) Of the six positions on the  
9 Texas-Israel Exchange Fund Board that are appointed by the  
10 commissioner of agriculture, the position next scheduled to expire  
11 is abolished on September 1, 2003.

12 (b) If there is more than one position on the Texas-Israel  
13 Exchange Fund Board that is appointed by the commissioner of  
14 agriculture and that is next scheduled to expire, the members who  
15 were appointed by the commissioner of agriculture and whose terms  
16 are next scheduled to expire shall determine by unanimous agreement  
17 or by lot which of the positions shall be abolished on September 1,  
18 2003, and shall inform the commissioner of that determination.

19 ARTICLE 45. TEXAS VETERANS COMMISSION

20 SECTION 45.01. Effective September 1, 2003, Subsections (a)  
21 and (b), Section 434.003, Government Code, are amended to read as  
22 follows:

23 (a) The commission is composed of five [~~six~~] members  
24 appointed by the governor with the advice and consent of the senate.  
25 The governor shall make each appointment without regard to the  
26 race, creed, sex, religion, or national origin of the appointee.

27 (b) A member must be a citizen and resident of the state. At

1 least three [~~four~~] members must have been honorably discharged or  
2 honorably released from active military service of the United  
3 States. At least one member must be a person classified as a  
4 disabled veteran by the United States Veterans Administration or  
5 the branch of the United States armed forces in which the person  
6 served. This person's disability must be service-connected and  
7 compensable.

8 SECTION 45.02. (a) Of the two positions on the Texas  
9 Veterans Commission that have terms scheduled to expire on December  
10 31, 2003, one of the positions is abolished on September 1, 2003.  
11 If one of the positions is filled by a disabled veteran as described  
12 by Subsection (b), Section 434.003, Government Code, and the other  
13 position is not, the position that is not filled by the disabled  
14 veteran is abolished on September 1, 2003. Otherwise, the position  
15 is abolished in accordance with Subsection (b) of this section.

16 (b) If it cannot be determined under Subsection (a) of this  
17 Act which position on the Texas Veterans Commission will be  
18 abolished, then on or before September 1, 2003, the two members  
19 whose terms are scheduled to expire on December 31, 2003, shall  
20 determine by unanimous agreement or by lot which of the two  
21 positions shall be abolished on September 1, 2003, and shall inform  
22 the chairman of the Texas Veterans Commission of that  
23 determination.

24 ARTICLE 46. MULTI-STATE WATER RESOURCES PLANNING COMMISSION

25 SECTION 46.01. Effective September 1, 2003, Subsections (a)  
26 and (c), Section 8.013, Water Code, are amended to read as follows:

27 (a) The commission is composed of seven [~~six~~] commissioners

1 who are appointed by the governor with the advice and consent of the  
2 senate.

3 (c) Three [~~Two~~] commissioners must be members of the general  
4 public, one commissioner must have a background in the field of  
5 higher education, one commissioner must have a background in  
6 private business, one commissioner must have a background in  
7 agriculture, and one commissioner must have a background in an  
8 energy-related field.

9 SECTION 46.02. Effective September 1, 2003, Subsection (a),  
10 Section 8.015, Water Code, is amended to read as follows:

11 (a) Commissioners hold office for staggered terms of six  
12 years, with the terms of two or three commissioners expiring on  
13 February 1 of each odd-numbered year.

14 SECTION 46.03. As soon as possible on or after September 1,  
15 2003, the governor shall appoint an additional public member to the  
16 Multi-State Water Resources Planning Commission for a term expiring  
17 February 1, 2009.

18 ARTICLE 47. TEXAS WORKERS' COMPENSATION COMMISSION

19 SECTION 47.01. Effective September 1, 2003, Subsection (a),  
20 Section 402.002, Labor Code, is amended to read as follows:

21 (a) Members of the commission hold office for staggered  
22 two-year [~~six-year~~] terms, with the terms of three members [~~one~~  
23 ~~member representing employers and one member representing wage~~  
24 ~~earners~~] expiring on February 1 of each [~~odd-numbered~~] year.

25 SECTION 47.02. (a) Notwithstanding Subsection (a),  
26 Section 402.002, Labor Code, as amended by this Act, the current  
27 terms of the members of the Texas Workers' Compensation Commission

1 expire February 1, 2005.

2 (b) As soon as possible on or after February 1, 2005, the  
3 governor shall appoint:

4 (1) one member representing employers and two members  
5 representing wage earners to terms expiring February 1, 2006; and

6 (2) one member representing wage earners and two  
7 members representing employers to terms expiring February 1, 2007.

8 ARTICLE 48. COUNCIL ON WORKFORCE AND ECONOMIC COMPETITIVENESS

9 SECTION 48.01. Effective September 1, 2003, Subsection (b),  
10 Section 2308.052, Government Code, is amended to read as follows:

11 (b) The council is composed of:

12 (1) three voting members who represent education, one  
13 of whom represents local public education, one of whom represents  
14 public postsecondary education, and one of whom represents  
15 vocational education;

16 (2) five voting members who represent organized labor  
17 appointed from recommendations made by recognized labor  
18 organizations;

19 (3) five voting members who represent business and  
20 industry, including business members serving on local workforce  
21 development boards or private industry councils;

22 (4) one [~~two~~] voting member [~~members~~] who represents  
23 [~~represent~~] community-based organizations; and

24 (5) the following ex officio voting members:

25 (A) the chair of the State Board of Education;

26 (B) the chair of the Texas Higher Education  
27 Coordinating Board;



1 (C) the presiding officer of the Texas Board of  
2 Human Services;

3 (D) the presiding officer of the policy advisory  
4 board of the Texas Department of Economic Development; and

5 (E) the chair of the Texas Workforce Commission.

6 SECTION 48.02. Effective September 1, 2003, Subsection (a),  
7 Section 2308.054, Government Code, is amended to read as follows:

8 (a) A member of the council who does not serve as an ex  
9 officio member serves a six-year term. Approximately one-third  
10 [~~One-third~~] of these members' terms expire in each odd-numbered  
11 year.

12 SECTION 48.03. (a) Of the positions on the Council on  
13 Workforce and Economic Competitiveness that must be filled by a  
14 member who represents community-based organizations, the position  
15 of the member whose term on the council is next scheduled to expire  
16 is abolished on September 1, 2003.

17 (b) If, of the positions on the Council on Workforce and  
18 Economic Competitiveness that must be filled by a member who  
19 represents community-based organizations, two members have terms  
20 that are next scheduled to expire, one of the positions is abolished  
21 on September 1, 2003. On or before September 1, 2003, both of the  
22 members shall determine by unanimous agreement or by lot which of  
23 the positions shall be abolished on September 1, 2003, and shall  
24 inform the presiding officer of the Council on Workforce and  
25 Economic Competitiveness of that determination.

26 ARTICLE 49. TEXAS YOUTH COMMISSION

27 SECTION 49.01. Effective September 1, 2003, Subsections (a)

1 and (c), Section 61.012, Human Resources Code, are amended to read  
2 as follows:

3 (a) The governing board of the Texas Youth Commission  
4 consists of seven [~~six~~] members appointed by the governor with the  
5 consent of the senate. Appointments to the board shall be made  
6 without regard to the race, color, disability, sex, religion, age,  
7 or national origin of the appointees.

8 (c) The board members hold office for staggered terms of six  
9 years, with the terms of two or three members expiring every two  
10 years.

11 SECTION 49.02. As soon as possible on or after September 1,  
12 2003, the governor shall appoint an additional member to the Texas  
13 Youth Commission for a term expiring August 31, 2009.

14 ARTICLE 50. CONFORMING AMENDMENT; CONSTRUCTION; EFFECTIVE DATE

15 SECTION 50.01. Chapter 651, Government Code, is amended by  
16 adding Sections 651.008, 651.0085, and 651.009 to read as follows:

17 Sec. 651.008. UNCONSTITUTIONALLY COMPOSED GOVERNING BODY  
18 WITH SIX-YEAR TERMS. (a) This section applies to the governing  
19 body of a state board or commission or other state agency only if:

20 (1) by statute the governing body is composed of an  
21 even number of voting members, the appointed members of whom serve  
22 staggered six-year terms; and

23 (2) there is no provision of the Texas Constitution  
24 under which the governing body is allowed to be composed in that  
25 manner and serve staggered six-year terms.

26 (b) Notwithstanding the terms of the statute that  
27 prescribes the composition and terms of the governing body, the

1 appointed members of the governing body serve two-year terms.

2 (c) The terms of the members of the governing body who have  
3 served less than two years since the date their current terms began  
4 expire on the second anniversary of the date their current terms  
5 began. The members of the governing body who have served two or  
6 more years since the date their current terms began are considered  
7 to be performing the duties of their office in a holdover capacity  
8 until their successors are qualified in accordance with Section 17,  
9 Article XVI, Texas Constitution.

10 (d) As soon as possible after it is determined that this  
11 section applies to the governing body, the administrative head of  
12 the state board or commission or other state agency shall inform of  
13 that fact:

14 (1) each state officer or other entity that by statute  
15 appoints one or more members to the governing body;

16 (2) the governor and the presiding officer of each  
17 house of the legislature;

18 (3) each standing committee of each house of the  
19 legislature that under the rules of either house has jurisdiction  
20 over legislative matters pertaining to the board, commission, or  
21 other agency; and

22 (4) the Legislative Reference Library for purposes of  
23 including current information in the Texas Appointment System  
24 database.

25 (e) As soon as possible after an appointing officer or  
26 entity is informed under Subsection (d), the appointing authority  
27 shall make any necessary appointments or reappointments to the

1 governing body to fill the positions of members described by  
2 Subsection (c) who are serving in a holdover capacity. If a member  
3 whose position is being filled has served two or more years but less  
4 than four years of a term, the appointment made under this  
5 subsection is for a term expiring on the fourth anniversary of the  
6 date the term began. If a member whose position is being filled has  
7 served four or more years but less than six years of a term, the  
8 appointment made under this subsection is for a term expiring on the  
9 sixth anniversary of the date the term began.

10 Sec. 651.0085. CERTAIN UNCONSTITUTIONALLY COMPOSED  
11 DISTRICTS AND AUTHORITIES WITH SIX-YEAR TERMS. (a) This section  
12 applies only to the governing body of a district or authority  
13 created under Section 52(b), Article III, Texas Constitution, or  
14 Section 59, Article XVI, Texas Constitution, and only if:

15 (1) by law the governing body is composed of an even  
16 number of voting members; and

17 (2) the elected or appointed members of the governing  
18 body serve staggered six-year terms and the only provision of the  
19 Texas Constitution under which the members of the governing body  
20 are allowed to serve staggered six-year terms is Section 30a,  
21 Article XVI.

22 (b) Section 651.008 does not apply to a district or  
23 authority to which this section applies.

24 (c) Notwithstanding the terms of the enabling statute of the  
25 district or authority that prescribes the number of members of the  
26 governing body:

27 (1) if some or all of the members of the governing body

1 are appointed, the governor shall appoint an additional public or  
2 at-large member, as applicable, to the governing body for an  
3 initial term expiring on the date on which the terms of members of  
4 the governing body whose terms are scheduled to expire between four  
5 and six years after the date of the governor's appointment under  
6 this subdivision expire; and

7 (2) if all of the members of the governing body are  
8 elected, an additional public or at-large elected position, as  
9 applicable, is created on the governing body and the governor shall  
10 appoint the initial member to fill that position for an initial term  
11 expiring on the first date on which members' terms expire following  
12 the next election for members of the governing body.

13 (d) As soon as possible after it is determined that this  
14 section applies to the governing body, the administrative head of  
15 the district or authority shall inform of that fact:

16 (1) each appointing authority that by statute appoints  
17 one or more members to the governing body;

18 (2) the governor and the presiding officer of each  
19 house of the legislature;

20 (3) each standing committee of each house of the  
21 legislature that under the rules of either house has jurisdiction  
22 over legislative matters pertaining to the district or authority;

23 (4) the secretary of state, if the governing body is  
24 subject to Subsection (c)(2), for purposes of allowing the  
25 secretary of state to advise the district or authority on matters  
26 relating to preclearance under the federal Voting Rights Act (42  
27 U.S.C. Section 1973c et seq.); and

1           (5) the Legislative Reference Library for purposes of  
2 including current information in the Texas Appointment System  
3 database.

4           (e) If the governor appoints a member to the governing body  
5 of the district or authority under Subsection (c)(1) and the  
6 legislature does not, by law, make other arrangements for electing  
7 or appointing a person to fill the position, the governor shall  
8 continue to appoint a member to fill the position as vacancies in  
9 the position occur and as a member's term in the position expires.  
10 If the governor appoints a member to the governing body of the  
11 district or authority under Subsection (c)(2) and the legislature  
12 does not, by law, make other arrangements for electing or  
13 appointing a person to fill the position, the position shall be  
14 filled by election as vacancies in the position occur and as a  
15 member's term in the position expires, except to the extent that the  
16 enabling statute for the district or authority provides a different  
17 method for filling vacancies on the governing body.

18           (f) After the initial term of a position created under this  
19 section expires, the term of the position is six years.

20           Sec. 651.009. DIVERSITY ON GOVERNING BODY. (a) In each  
21 case in which the governing body of a state board, commission, or  
22 other state agency that has statewide jurisdiction is appointed by  
23 the governor or another appointing authority, the governor or  
24 appointing authority shall ensure that, to the extent possible, the  
25 membership of the governing body reflects the racial, ethnic, and  
26 geographic diversity of this state.

27           (b) In the case of a governing body the membership of which

1 is appointed by two or more appointing authorities, the appointing  
2 authorities shall coordinate their appointments, to the extent  
3 possible, as necessary to comply with Subsection (a).

4 SECTION 50.02. If this Act requires that a position is to be  
5 abolished on September 1, 2003, and in connection with describing  
6 the position to be abolished incorrectly describes the number of  
7 positions that are required to be filled by a member with an  
8 identified qualification for office with terms that expire on the  
9 date identified by this Act, then:

10 (1) if there is only one position on the governing body  
11 required to be filled by a member with the identified qualification  
12 for office with a term scheduled to expire on the identified date,  
13 that member's term is abolished; or

14 (2) if there is more than one position on the governing  
15 body required to be filled by a member with the identified  
16 qualification for office with a term scheduled to expire on the  
17 identified date, all members with the identified qualification for  
18 office with a term scheduled to expire on the identified date shall  
19 meet to determine by unanimous agreement or by lot which member's  
20 position is abolished.

21 SECTION 50.03. If a conflict exists between this Act and  
22 another Act passed by the 78th Legislature, Regular Session, 2003,  
23 that becomes law, the other law controls unless this Act changes the  
24 composition of a governing body in a manner allowed by the Texas  
25 Constitution and under the other law, the composition and terms of  
26 the governing body do not comply with the Texas Constitution.

27 SECTION 50.04. Except as otherwise provided by this Act,

1 this Act takes effect immediately if it receives a vote of  
2 two-thirds of all the members elected to each house, as provided by  
3 Section 39, Article III, Texas Constitution. If this Act does not  
4 receive the vote necessary for immediate effect, this Act takes  
5 effect September 1, 2003.



\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 287 passed the Senate on April 16, 2003, by the following vote: Yeas 31, Nays 0; May 15, 2003, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 21, 2003, House granted request of the Senate; June 1, 2003, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 287 passed the House, with amendments, on May 8, 2003, by the following vote: Yeas 131, Nays 0, two present not voting; May 21, 2003, House granted request of the Senate for appointment of Conference Committee; June 1, 2003, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 0, three present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor