

By: Ellis

S.B. No. 1335

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the organization, quorum requirements, and period of
3 service of the directors of certain legislative agencies.

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

5 SECTION 1. Section 321.002, Government Code, is amended by
6 amending Subsection (e) and adding Subsection (f) to read as
7 follows:

8 (e) The committee shall elect [~~organize by electing one~~
9 ~~member to serve as chairman and~~] one member to serve as secretary.

10 (f) The lieutenant governor and the speaker serve alternate
11 terms as the chairman of the committee. The terms as chairman are
12 for two years and expire on February 1 of each odd-numbered year.

13 SECTION 2. Subsection (c), Section 321.005, Government
14 Code, is amended to read as follows:

15 (c) The State Auditor serves at the will of the committee
16 for a two-year period beginning January 1 of each odd-numbered
17 year. The committee shall meet after September 1 and before
18 December 31 of each even-numbered year and shall either reappoint
19 the State Auditor or appoint another person to serve in that
20 position for the following two-year period.

21 SECTION 3. Subsection (b), Section 322.001, Government
22 Code, is amended to read as follows:

23 (b) The lieutenant governor [~~is the chairman of the board~~]
24 and the speaker serve alternate terms as [~~is~~] the chairman and

1 vice-chairman of the board. The terms as chairman and
2 vice-chairman are for two years and expire on February 1 of each
3 odd-numbered year.

4 SECTION 4. Subsection (a), Section 322.004, Government
5 Code, is amended to read as follows:

6 (a) The board shall appoint a director to serve at the
7 pleasure of the board for a two-year period beginning January 1 of
8 each odd-numbered year. The board shall meet after September 1 and
9 before December 31 of each even-numbered year and shall either
10 reappoint the director or appoint another person to serve in that
11 position for the following two-year period. The director is
12 accountable only to the board.

13 SECTION 5. Subsection (c), Section 323.001, Government
14 Code, is amended to read as follows:

15 (c) The lieutenant governor [~~is the chairman of the council~~]
16 and the speaker serve alternate terms as [is] the chairman and
17 vice-chairman of the council. The terms as chairman and
18 vice-chairman are for two years and expire on February 1 of each
19 odd-numbered year.

20 SECTION 6. Chapter 323, Government Code, is amended by
21 adding Section 323.002 to read as follows:

22 Sec. 323.002. EXECUTIVE DIRECTOR. The council shall
23 appoint an executive director to serve at the will of the council
24 for a two-year period beginning January 1 of each odd-numbered
25 year. The council shall meet after September 1 and before December
26 31 of each even-numbered year and shall either reappoint the
27 executive director or appoint another person to serve in that

1 position for the following two-year period.

2 SECTION 7. Subsection (b), Section 323.003, Government
3 Code, is amended to read as follows:

4 (b) A majority of the [~~Twelve~~] members of the council from
5 each house constitutes [~~including the chairman and vice chairman~~
6 ~~constitute~~] a quorum. If a quorum is present, the council may act
7 on any matter that is within its jurisdiction by a majority vote.

8 SECTION 8. Section 324.004, Government Code, is amended by
9 amending Subsection (b) and adding Subsection (e) to read as
10 follows:

11 (b) The board consists of:

- 12 (1) the lieutenant governor;
- 13 (2) the speaker of the house of representatives;
- 14 (3) two members [~~the chairman of the senate finance~~
15 ~~committee,~~
16 [~~(4) the chairman of the house appropriations~~
17 ~~committee,~~
18 [~~(5) one other member~~] of the senate appointed by the
19 lieutenant governor; and
- 20 (4) two members [~~(6) one other member~~] of the house
21 appointed by the speaker.

22 (e) The lieutenant governor and the speaker serve alternate
23 terms as the chairman of the board. The terms as chairman are for
24 two years and expire on February 1 of each odd-numbered year.

25 SECTION 9. Subsection (a), Section 324.005, Government
26 Code, is amended to read as follows:

27 (a) The board shall appoint a director to serve at the

1 pleasure of the board for a two-year period beginning January 1 of
2 each odd-numbered year. The board shall meet after September 1 and
3 before December 31 of each even-numbered year and shall either
4 reappoint the director or appoint another person to serve in that
5 position for the following two-year period.

6 SECTION 10. Subsection (a), Section 325.004, Government
7 Code, is amended to read as follows:

8 (a) The commission shall employ an executive director to act
9 as the executive head of the commission. The executive director
10 serves for a two-year period beginning January 1 of each
11 odd-numbered year. The commission shall meet after September 1 and
12 before December 31 of each even-numbered year and shall either
13 reappoint the executive director or appoint another person to serve
14 in that position for the following two-year period.

15 SECTION 11. (a) To accomplish the alternating
16 chairmanship plan for the Legislative Budget Board, the Legislative
17 Library Board, the Texas Legislative Council, and the legislative
18 audit committee as provided by this Act, on the effective date of
19 this Act:

20 (1) the lieutenant governor shall assume:

21 (A) the chairmanship of the Legislative Budget
22 Board;

23 (B) the chairmanship of the Legislative Library
24 Board; and

25 (C) the vice-chairmanship of the Texas
26 Legislative Council; and

27 (2) the speaker of the house of representatives shall

1 assume:

2 (A) the chairmanship of the Texas Legislative
3 Council;

4 (B) the chairmanship of the legislative audit
5 committee; and

6 (C) the vice-chairmanship of the Legislative
7 Budget Board.

8 (b) The initial terms of the lieutenant governor and the
9 speaker of the house of representatives as chairman and
10 vice-chairman, as provided by Subsection (a) of this section,
11 expire February 1, 2005.

12 (c) The state auditor and the directors of the Legislative
13 Budget Board, the Texas Legislative Council, the Legislative
14 Reference Library, and the Sunset Advisory Commission who are
15 serving on the effective date of this Act:

16 (1) may continue to serve for a period ending December
17 31, 2004, subject to the will of the governing body of the
18 legislative agency; and

19 (2) may be reappointed to their positions.

20 SECTION 12. This Act takes effect September 1, 2003.