

## **BILL ANALYSIS**

S.B. 114  
By: Van de Putte  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the failure of a junior district board member to attend board meetings is not a ground to initiate the process for removal from office. As proposed, S.B. 114 amends the Education Code to provide that unexcused absences from more than half of the regularly scheduled board meetings of a junior college district board of trustees which the member is eligible to attend during a calendar year constitutes a ground for removal. This bill allows for absences excused by a majority vote of the board. S.B. 114 ensures that a trustee will be provided due process by utilizing current procedures for removing a county official as provided by Subchapter B, Chapter 87, Local Government Code.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 130, Education Code, by adding Section 130.0845, as follows:

Sec. 130.0845. REMOVAL OF TRUSTEE FOR NONATTENDANCE OF BOARD MEETINGS. (a) Provides that it is a ground for removal of a member of the board of trustees of a junior college district that the member is absent from more than half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year, not counting an absence for which the member is excused by a majority vote of the board.

(b) Provides that the validity of an action of the board of trustees is not affected by the fact that the action is taken when a ground for removal of a member of the board exists.

(c) Authorizes the removal of a member of a board of trustees for a ground provided by this section, using the procedures by Subchapter B, Chapter 87, Local Government Code (Removal of County Officers From Office; Filling of Vacancies), for removing a county official.

SECTION 2. Provides that the change in law made by this Act applies to an individual who is elected or appointed to the board of trustees of a junior college district before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005.