By: Barrientos, Wentworth   S.B. No. 182

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the board of directors of an intermunicipal commuter

3   rail district.

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

5   SECTION 1. Subsection (c), Section 3, Article 6550c-1,

6   Revised Statutes, is amended to read as follows:

7   (c) If a [A] vacancy occurs on the board, a successor shall

8   be appointed or elected [is filled] in the same manner as the

9   original appointment or election. Each member serves a staggered

10 two-year term with as near as possible to half of the members' terms

11 expiring February 1 of each year [of two years]. If one or more

12 members are added to the board, the board members other than the new

13 members shall determine the lengths of the new members' terms so

14 that one-half, or as near one-half as possible of the members serve

15 terms expiring each year.

16   SECTION 2. Article 6550c-1, Revised Statutes, is amended by

17 adding Section 3A to read as follows:

18   Sec. 3A. BOARD MEETINGS BY TELEPHONE OR VIDEOCONFERENCE.

19 (a) Chapter 551, Government Code, does not prohibit the board from

20 holding an open or closed meeting by telephone conference call or

21 videoconference.

22   (b) A meeting held by telephone conference call or

23 videoconference need not have a quorum present at any one location.

24   (c) A telephone conference call or videoconference meeting

1   is subject to the notice requirements applicable to other meetings.

2   (d) The notice of a telephone conference call or

3   videoconference meeting must specify all locations of the meeting

4   where a member of the board will participate. The notice must also

5   specify the physical location from which the presiding officer of

6   the board will preside. All locations must be open to the public

7   during the open portion of the meeting.

8   (e) Each part of a telephone conference call meeting that is

9   required to be open to the public shall be audible to the public at

10   the location specified in the notice of the meeting as the location

11   of the meeting and shall be tape recorded. The tape recording shall

12   be made available to the public.

13   (f) Each part of a videoconference meeting that is required

14   to be open to the public shall:

15   (1) be visible and audible to the public at all

16   locations specified in the notice of the meeting as the locations of

17   the meeting; and

18   (2) have two-way audio and video communications with

19   each participant in the meeting during the entire meeting.

20   (g) Without regard to whether a member of the board is

21   participating in a meeting from a remote location by

22   videoconference call, the board may allow a member of the public to

23   testify at a meeting from a remote location by videoconference

24   call. The board shall designate the location for public

25   participation in the notice of the meeting.

26   SECTION 3. (a) This Act does not affect the term of a member

27   of the board of directors serving on the effective date of this Act.

1 Members appointed to fill vacancies occurring on or after the

2 effective date of this Act must be appointed in accordance with

3 Section 3, Article 6550c-1, Revised Statutes, as amended by this

4 Act.

5 (b) Initial members appointed or elected to the board of

6 directors on or after the effective date of this Act shall, by

7 unanimous agreement or by lot, assign the lengths of the terms of

8 the members to meet the staggered two-year term requirement under

9 Section 3, Article 6550c-1, Revised Statutes, as amended by this

10 Act.

11 SECTION 4. This Act does not prohibit a person who is a

12 member of an intermunicipal commuter rail district board before the

13 effective date of this Act from being appointed as a member of the

14 board under the new composition of the board of an intermunicipal

15 commuter rail district if the person has the qualifications

16 required for the position under Article 6550c-1, Revised Statutes,

17 as amended by this Act.

18 SECTION 5. This Act takes effect September 1, 2005.