

By: Barrientos, Wentworth

S.B. No. 182

A BILL TO BE ENTITLED

AN ACT

1
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. Section 3(c), Article 6550c-1, Revised Statutes,
6 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 on or
6 after the effective date of this Act shall, by unanimous agreement
7 or by lot, assign the lengths of the terms of the members to meet the
8 staggered two-year term requirement under Section 3, Article
9 6550c-1, Revised Statutes, as amended by this Act.

10 SECTION 4. This Act does not prohibit a person who is a
11 member of an intermunicipal commuter rail district board before the
12 effective date of this Act from being appointed as a member of the
13 board under the new composition of the board of an intermunicipal
14 commuter rail district if the person has the qualifications
15 required for the position under Article 6550c-1, Revised Statutes,
16 as amended by this Act.

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