

Amend CSSB 2039 (Senate committee printing) as follows:

(1) In SECTION 1.01, ARTICLE 1 of the bill, in the introductory language to that SECTION (page 1, line 14), strike "by adding Section 51.358" and substitute "by adding Sections 51.358 and 51.359".

(2) In SECTION 1.01, ARTICLE 1 of the bill, strike added Subsection (m), Section 51.358, Education Code, (page 2, lines 51 through 62), and substitute the following:

(m) The interim governing board shall prepare an annual financial statement for the university or university system. An audit of the financial statement must be prepared by the state auditor or, if the authority to contract for audit services is delegated by the state auditor in accordance with Section 321.020, Government Code, by an independent private auditor. The audit required by this subsection must include a review of a contract entered into by the university or university system that:

(1) is active; or

(2) the university or university system entered into during the two-year period immediately preceding the date the interim administration took effect.

(3) In SECTION 1.01, ARTICLE 1 of the bill, in added Subsection (r), Section 51.358, Education Code (page 3, line 35), strike "two" and substitute "three".

(4) In SECTION 1.01, ARTICLE 1 of the bill, immediately following added Section 51.358, Education Code (page 3, between lines 47 and 48), add the following:

Sec. 51.359. DENIAL OF EMPLOYMENT FOR CONTRIBUTION TO FINANCIAL OR ADMINISTRATIVE EXIGENCY. The interim governing board of a university or university system subject to an interim administration under Section 51.358 may make a determination that an individual's act or omission was a material cause of the condition of financial or administrative exigency at the university or university system that resulted in the interim administration. If the interim governing board makes a determination under this section, the individual shall be denied employment in an administrative capacity with the university or university system and any employment contract provision concerning administrative

employment of that individual is void by the university or system.

(5) In SECTION 2.01, ARTICLE 2 of the bill, strike added Section 2116.001, Government Code (page 3, lines 55 through 61), and substitute the following:

Sec. 2116.001. DEFINITION. In this chapter, "state agency" means a department, commission, board, office, or other agency or entity governed by a commissioner or other officer appointed by the governor or by a board, commission, or other governing body with one or more members appointed by the governor that:

(1) is in the executive branch of state government; or

(2) is created by statute.

(6) In SECTION 2.01, ARTICLE 2 of the bill, strike added Subsection (b), Section 2116.024, Government Code (page 5, line 64 through page 6, line 5), and substitute the following:

(b) The interim administrator shall prepare an annual financial statement for the agency. An audit of the financial statement must be prepared by the state auditor or, if the authority to contract for audit services is delegated by the state auditor in accordance with Section 321.020, by an independent private auditor. The audit required by this subsection must include a review of a contract entered into by the agency that:

(1) is active; or

(2) the agency entered into during the two-year period immediately preceding the date the interim administration took effect.

(7) In SECTION 2.01, ARTICLE 2 of the bill, following added Section 2116.043, Government Code (page 7, between lines 6 and 7), insert the following:

SUBCHAPTER E. EMPLOYMENT PROVISIONS DURING INTERIM ADMINISTRATION

Sec. 2116.061. DENIAL OF EMPLOYMENT FOR CONTRIBUTION TO FINANCIAL OR ADMINISTRATIVE EXIGENCY. The interim administrator or interim governing board or officer, as applicable, of a state agency subject to this chapter may make a determination that an individual's act or omission was a material cause of the condition of financial or administrative exigency at the agency that resulted in the interim administration or the abolition of the position of governing officer or the governing body. If the interim

administrator, or interim governing board or officer, as applicable, makes a determination under this section, the individual shall be denied employment with the agency and any existing employment contract with that individual is void.

(8) Add the following SECTION and renumber subsequent SECTIONS appropriately:

SECTION \_\_. Chapter 321, Government Code, is amended by adding Section 321.024 to read as follows:

Sec. 321.024. MEETING BY TELECOMMUNICATION DEVICE. (a) As an exception to Chapter 551 and other law, if a meeting is located in Austin and the joint chairs of the committee are physically present at the meeting, then any number of the other members of the committee may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device.

(b) This section applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a member of the committee to otherwise fully participate in any meeting of the committee, and applies only to a meeting held pursuant to Chapter 2104 or 2116 of this code, or Section 51.358, Education Code.

(c) A meeting held by use of telephone conference call, video conference call, or other similar telecommunication device:

(1) is subject to the notice requirements applicable to other meetings of the committee;

(2) must specify in the notice of the meeting the location in Austin of the meeting at which the joint chairs will be physically present;

(3) must be open to the public and shall be audible to the public at the location in Austin specified in the notice of the meeting as the location of the meeting at which the joint chairs will be physically present; and

(4) must provide two-way audio communication between all members of the committee attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link

is reestablished.