

## **BILL ANALYSIS**

H.B. 3827  
By: Morrison  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, governing boards for Texas institutions of higher education as well as the Board for Lease of University Lands are authorized by statute to meet by telephone conference call.

H.B. 3827 will include the governing board of a junior college district under the same provisions as other higher education governing and decision-making boards.

### **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 F, Chapter 551, Government Code, by adding Section 551.122 regarding a governing board of a junior college district: quorum present at one location.

Sec. 551.122. (a) Specifies that the governing board of a junior college district is not prohibited from holding an open or closed meeting by telephone conference call.

(b) Requires any meeting held by telephone conference call to have a quorum of the governing board physically present at the location where meetings of the board are usually held in order to be authorized.

(c) Specifies that a telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(d) Requires each part of the telephone conference call meeting that is required to be open to the public to be audible to the public at the location where the quorum is present and to be tape recorded. Requires the tape recording be made available to the public.

(e) Requires the location of the meeting to provide two-way communication during the entire telephone conference call meeting, and that each party on the conference call clearly state their identity before they speak.

(f) Specifies that the authority provided by this section is in addition to that provided by Section 551.121.

SECTION 2. Amends the heading to Section 551.121, Government Code, to add the words, "Special Meeting for Immediate Action."

SECTION 3. Amends Section 551.121(c), Government Code, to read, "A meeting held by telephone conference call authorized by this section may be held," rather than, "A meeting held by telephone conference call may be held."

SECTION 4. Applies the changes in law made by this Act only to a meeting of the governing board of a junior college district for which public notice is given on or after the effective date of this Act.

SECTION 5. Effective date.

**EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.