

BILL ANALYSIS

Senate Research Center

S.B. 1046
By: Wentworth
Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Higher Education Coordinating Board (THECB) is required to mail an agenda to the chairman of each governing board and the chief administrative officer of each institution of higher education (institution) at least 30 days before a meeting, which has not been changed since THECB's inception in 1965. This lengthy time frame has proven inefficient and unnecessary for both THECB and the institutions in conducting THECB's business in a timely manner.

Current statute authorizes governing boards for institutions as well as the Board for Lease of University Lands to meet by telephone conference call under certain circumstances. However, THECB is not provided with similar privileges.

S.B. 1046 includes THECB under the same provisions as governing boards of institutions with regard to holding telephone conference calls. This bill also decreases the advance notice required for to THECB meetings from 30 days to seven days.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 61.025(c) and (e), Education Code, as follows:

(c) Requires an agenda for a meeting to be mailed to the chairman of each governing board and to the chief administrative officer of each state institution of higher education (institution) at least seven, rather than 30, days prior to the meeting. Deletes existing text referencing an exception provided by Subsection (e).

(e) Deletes existing text providing that the Texas Higher Education Coordinating Board (THECB) is not required to mail an agenda 30 days in advance to the governing boards and institutions as provided by Subsection (c), for a meeting to consider a higher education impact statement.

SECTION 2. Amends the heading to Section 551.121, Government Code, to read as follows:

Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER EDUCATION;
BOARD FOR LEASE OF UNIVERSITY LANDS; TEXAS HIGHER EDUCATION
COORDINATING BOARD.

SECTION 3. Amends Sections 551.121(b), (c), and (e), Government Code, as follows:

(b) Provides that this chapter does not prohibit the governing board of an institution of higher education, the Board for Lease of University Lands, or THECB from holding an open or closed meeting by telephone conference call.

(c) Authorizes a meeting held by telephone conference call only under certain specified conditions.

(e) Requires the notice for a meeting of THECB to specify as the location of the meeting a suitable conference or meeting room at the offices of THECB or at an institution of higher education.

SECTION 4. Amends Section 551.129, Government Code, by adding Subsection (f), to provide that Subsection (d) (relating to a governmental body consulting with an attorney as long as the attorney is not an employee of the governmental body) does not apply to the governing board of an institution as defined by Section 61.003 (Definitions), Education Code, or THECB.

SECTION 5. Makes application of Section 61.025, Education Code, as amended by this Act, prospective.

SECTION 6. Effective date: September 1, 2007.