

BILL ANALYSIS

S.B. 1046
By: Wentworth
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Higher Education Coordinating Board (board) 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. This requirement has not been changed since the Texas Higher Education Coordinating Board's inception in 1965. This lengthy time frame has proven inefficient and unnecessary for both the board and the institutions in conducting the board'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, the board is not provided with similar privileges.

S.B. 1046 includes the Texas Higher Education Coordinating Board 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 the board meetings from 30 days to seven days.

RULEMAKING AUTHORITY

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

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 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 (board) 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 the Texas Higher Education Coordinating Board from holding an open or closed meeting by telephone conference.

(c) Makes conforming changes.

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

SECTION 4. Amends Section 551.129, Government Code, is amended by adding Subsection (f) to read as follows:

(f) Provides that Subsection (d) does not apply to the governing board of an institution of higher education as defined by Section 61.003, Education Code; or the Texas Higher Education Coordinating Board.

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

SECTION 6. Effective date.

EFFECTIVE DATE

September 1, 2007.