

By: Hochberg, et al.

H.B. No. 189

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the receipt of financial benefits by school district
3 superintendents for services performed for business entities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 11.201, Education Code, is amended by
6 adding Subsection (e) to read as follows:

7 (e) The superintendent of a school district may not receive
8 any financial benefit for personal services performed by the
9 superintendent for any business entity that conducts or solicits
10 business with the district. Any financial benefit received by the
11 superintendent for performing personal services for any other
12 entity, including a school district, open-enrollment charter
13 school, regional education service center, or public or private
14 institution of higher education, must be approved by the board of
15 trustees on a case-by-case basis in an open meeting. For purposes
16 of this subsection, the receipt of reimbursement for a reasonable
17 expense is not considered a financial benefit.

18 SECTION 2. Section 11.201(e), Education Code, as added by
19 this Act, applies only to a contract between a superintendent of a
20 school district and a business entity that is entered into on or
21 after the effective date of this Act. A contract between a
22 superintendent of a school district and a business entity that is
23 entered into before the effective date of this Act is governed by
24 the law in effect on the date the contract is entered into, and the

1 former law is continued in effect for that purpose.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.