

1-1 By: Hochberg, et al. (Senate Sponsor - Janek) H.B. No. 189
1-2 (In the Senate - Received from the House March 26, 2007;
1-3 April 3, 2007, read first time and referred to Committee on
1-4 Education; April 24, 2007, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 24, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the receipt of financial benefits by school district
1-9 superintendents for services performed for business entities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 11.201, Education Code, is amended by
1-12 adding Subsection (e) to read as follows:

1-13 (e) The superintendent of a school district may not receive
1-14 any financial benefit for personal services performed by the
1-15 superintendent for any business entity that conducts or solicits
1-16 business with the district. Any financial benefit received by the
1-17 superintendent for performing personal services for any other
1-18 entity, including a school district, open-enrollment charter
1-19 school, regional education service center, or public or private
1-20 institution of higher education, must be approved by the board of
1-21 trustees on a case-by-case basis in an open meeting. For purposes
1-22 of this subsection, the receipt of reimbursement for a reasonable
1-23 expense is not considered a financial benefit.

1-24 SECTION 2. Section 11.201(e), Education Code, as added by
1-25 this Act, applies only to a contract between a superintendent of a
1-26 school district and a business entity that is entered into on or
1-27 after the effective date of this Act. A contract between a
1-28 superintendent of a school district and a business entity that is
1-29 entered into before the effective date of this Act is governed by
1-30 the law in effect on the date the contract is entered into, and the
1-31 former law is continued in effect for that purpose.

1-32 SECTION 3. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2007.

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