

By: Herrero

H.B. No. 3432

A BILL TO BE ENTITLED

AN ACT

relating to appointment of the commissioner of education.

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

SECTION 1. Section 7.051, Education Code, is amended to read as follows:

Sec. 7.051. SELECTION OF THE COMMISSIONER. The State Board of Education [~~governor, with the advice and consent of the senate,~~] shall appoint the commissioner of education to serve at the will of the board.

SECTION 2. Sections 7.052 and 7.053, Education Code, are repealed.

SECTION 3. (a) A person appointed to serve as commissioner of education under Section 7.051, Education Code, as that section existed before the effective date of this Act, continues to serve as commissioner for the remainder of the term for which the person was appointed. If the office of commissioner of education becomes vacant before the expiration of the commissioner's term, the State Board of Education shall fill the vacancy as provided by Section 7.051, Education Code, as amended by this Act.

(b) The State Board of Education shall appoint a person to serve as commissioner of education as provided by Section 7.051, Education Code, as amended by this Act, on the expiration of the term of the commissioner of education who is serving on the effective date of this Act.

1 SECTION 4. This Act takes effect September 1, 2007.