

AN ACT

relating to the authority of the governing board of a junior college district to hold an open or closed meeting by telephone conference call.

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

SECTION 1. Subchapter F, Chapter 551, Government Code, is amended by adding Section 551.122 to read as follows:

Sec. 551.122. GOVERNING BOARD OF JUNIOR COLLEGE DISTRICT: QUORUM PRESENT AT ONE LOCATION. (a) This chapter does not prohibit the governing board of a junior college district from holding an open or closed meeting by telephone conference call.

(b) A meeting held by telephone conference call authorized by this section may be held only if a quorum of the governing board is physically present at the location where meetings of the board are usually held.

(c) The telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(d) Each part of the telephone conference call meeting that is required to be open to the public shall be audible to the public at the location where the quorum is present and shall be tape-recorded. The tape recording shall be made available to the public.

(e) The location of the meeting shall provide two-way communication during the entire telephone conference call meeting,

1 and the identification of each party to the telephone conference  
2 shall be clearly stated before the party speaks.

3 (f) The authority provided by this section is in addition to  
4 the authority provided by Section 551.121.

5 (g) A member of a governing board of a junior college  
6 district who participates in a board meeting by telephone  
7 conference call but is not physically present at the location of the  
8 meeting is considered to be absent from the meeting for purposes of  
9 Section 130.0845, Education Code.

10 SECTION 2. The heading to Section 551.121, Government Code,  
11 is amended to read as follows:

12 Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER  
13 EDUCATION; BOARD FOR LEASE OF UNIVERSITY LANDS: SPECIAL MEETING  
14 FOR IMMEDIATE ACTION.

15 SECTION 3. Section 551.121(c), Government Code, is amended  
16 to read as follows:

17 (c) A meeting held by telephone conference call authorized  
18 by this section may be held only if:

19 (1) the meeting is a special called meeting and  
20 immediate action is required; and

21 (2) the convening at one location of a quorum of the  
22 governing board or Board for Lease of University Lands is difficult  
23 or impossible.

24 SECTION 4. The change in law made by this Act applies only  
25 to a meeting of the governing board of a junior college district for  
26 which notice is given under Chapter 551, Government Code, on or  
27 after the effective date of this Act.

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3827 was passed by the House on May 2, 2007, by the following vote: Yeas 147, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3827 on May 21, 2007, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3827 was passed by the Senate, with amendments, on May 17, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor