

1-1 By: Morrison (Senate Sponsor - Zaffirini) H.B. No. 3827  
1-2 (In the Senate - Received from the House May 3, 2007;  
1-3 May 7, 2007, read first time and referred to Committee on State  
1-4 Affairs; May 14, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 May 14, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3827 By: Lucio

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the authority of the governing board of a junior college  
1-11 district to hold an open or closed meeting by telephone conference  
1-12 call.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter F, Chapter 551, Government Code, is  
1-15 amended by adding Section 551.122 to read as follows:

1-16 Sec. 551.122. GOVERNING BOARD OF JUNIOR COLLEGE DISTRICT:  
1-17 QUORUM PRESENT AT ONE LOCATION. (a) This chapter does not prohibit  
1-18 the governing board of a junior college district from holding an  
1-19 open or closed meeting by telephone conference call.

1-20 (b) A meeting held by telephone conference call authorized  
1-21 by this section may be held only if a quorum of the governing board  
1-22 is physically present at the location where meetings of the board  
1-23 are usually held.

1-24 (c) The telephone conference call meeting is subject to the  
1-25 notice requirements applicable to other meetings.

1-26 (d) Each part of the telephone conference call meeting that  
1-27 is required to be open to the public shall be audible to the public  
1-28 at the location where the quorum is present and shall be  
1-29 tape-recorded. The tape recording shall be made available to the  
1-30 public.

1-31 (e) The location of the meeting shall provide two-way  
1-32 communication during the entire telephone conference call meeting,  
1-33 and the identification of each party to the telephone conference  
1-34 shall be clearly stated before the party speaks.

1-35 (f) The authority provided by this section is in addition to  
1-36 the authority provided by Section 551.121.

1-37 (g) A member of a governing board of a junior college  
1-38 district who participates in a board meeting by telephone  
1-39 conference call but is not physically present at the location of the  
1-40 meeting is considered to be absent from the meeting for purposes of  
1-41 Section 130.0845, Education Code.

1-42 SECTION 2. The heading to Section 551.121, Government Code,  
1-43 is amended to read as follows:

1-44 Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER  
1-45 EDUCATION; BOARD FOR LEASE OF UNIVERSITY LANDS: SPECIAL MEETING FOR  
1-46 IMMEDIATE ACTION.

1-47 SECTION 3. Section 551.121(c), Government Code, is amended  
1-48 to read as follows:

1-49 (c) A meeting held by telephone conference call authorized  
1-50 by this section may be held only if:

1-51 (1) the meeting is a special called meeting and  
1-52 immediate action is required; and

1-53 (2) the convening at one location of a quorum of the  
1-54 governing board or Board for Lease of University Lands is difficult  
1-55 or impossible.

1-56 SECTION 4. The change in law made by this Act applies only  
1-57 to a meeting of the governing board of a junior college district for  
1-58 which notice is given under Chapter 551, Government Code, on or  
1-59 after the effective date of this Act.

1-60 SECTION 5. This Act takes effect immediately if it receives  
1-61 a vote of two-thirds of all the members elected to each house, as  
1-62 provided by Section 39, Article III, Texas Constitution. If this  
1-63 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2007.

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