

By: Wentworth

S.B. No. 1046

A BILL TO BE ENTITLED

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AN ACT

relating to the provision of notice to institutions of higher education of meetings of the Texas Higher Education Coordinating Board and to certain telephone conference meetings of the board and other boards of institutions of higher education.

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

SECTION 1. Subsections (c) and (e), Section 61.025, Education Code, are amended to read as follows:

(c) An ~~[Except as provided by Subsection (e), an]~~ agenda for the meetings in sufficient detail to indicate the items on which final action is contemplated shall be mailed to the chairman of each governing board and to the chief administrative officer of each state institution of higher education at least seven ~~[30]~~ days prior to the meeting.

(e) The board may hold a meeting to consider a higher education impact statement, if a higher education impact statement by the board is to be provided under the rules of either the house of representatives or the senate. The meeting shall be called by the chair and the board shall provide notice of the meeting in accordance with Chapter 551, Government Code. ~~[The board is not required to mail an agenda 30 days in advance to the governing boards and institutions as provided in Subsection (c), for a meeting to consider a higher education impact statement.]~~

SECTION 2. The heading to Section 551.121, Government Code,

1 is amended to read as follows:

2           Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER  
3 EDUCATION; BOARD FOR LEASE OF UNIVERSITY LANDS; TEXAS HIGHER  
4 EDUCATION COORDINATING BOARD.

5           SECTION 3. Subsections (b), (c), and (e), Section 551.121,  
6 Government Code, are amended to read as follows:

7           (b) This chapter does not prohibit the governing board of an  
8 institution of higher education, ~~or~~ the Board for Lease of  
9 University Lands, or the Texas Higher Education Coordinating Board  
10 from holding an open or closed meeting by telephone conference  
11 call.

12           (c) A meeting held by telephone conference call may be held  
13 only if:

14                 (1) the meeting is a special called meeting and  
15 immediate action is required; and

16                 (2) the convening at one location of a quorum of the  
17 governing board, the ~~or~~ Board for Lease of University Lands, or  
18 the Texas Higher Education Coordinating Board, as applicable, is  
19 difficult or impossible.

20           (e) The notice of a telephone conference call meeting of a  
21 governing board must specify as the location of the meeting the  
22 location where meetings of the governing board are usually held.  
23 For a meeting of the governing board of a university system, the  
24 notice must specify as the location of the meeting the board's  
25 conference room at the university system office. For a meeting of  
26 the Board for Lease of University Lands, the notice must specify as  
27 the location of the meeting a suitable conference or meeting room at

1 The University of Texas System office. For a meeting of the Texas  
2 Higher Education Coordinating Board, the notice must specify as the  
3 location of the meeting a suitable conference or meeting room at the  
4 offices of the Texas Higher Education Coordinating Board or at an  
5 institution of higher education.

6 SECTION 4. Section 551.129, Government Code, is amended by  
7 adding Subsection (f) to read as follows:

8 (f) Subsection (d) does not apply to:

9 (1) the governing board of an institution of higher  
10 education as defined by Section 61.003, Education Code; or

11 (2) the Texas Higher Education Coordinating Board.

12 SECTION 5. The change in law made by this Act to Section  
13 61.025, Education Code, applies only to a meeting or telephone  
14 conference call meeting held on or after the effective date of this  
15 Act for which all notices required by law were not provided before  
16 the effective date. A meeting or telephone conference call meeting  
17 for which all notices required by law were provided before the  
18 effective date of this Act is governed by the law in effect  
19 immediately before the effective date, and the former law is  
20 continued in effect for that purpose.

21 SECTION 6. This Act takes effect September 1, 2007.