

By: Wentworth

S.B. No. 1046

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of notice to institutions of higher
3 education of meetings of the Texas Higher Education Coordinating
4 Board and to telephone conference meetings of the board.

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

6 SECTION 1. Sections 61.025(c) and (e), Education Code, are
7 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

5 SECTION 4. The change in law made by this Act to Section
6 61.025, Education Code, applies only to a meeting or telephone
7 conference call meeting held on or after the effective date of this
8 Act for which all notices required by law were not provided before
9 the effective date. A meeting or telephone conference call meeting
10 for which all notices required by law were provided before the
11 effective date of this Act is governed by the law in effect
12 immediately before the effective date, and the former law is
13 continued in effect for that purpose.

14 SECTION 5. This Act takes effect September 1, 2007.