

SENATE AMENDMENTS

2nd Printing

By: Morrison

H.B. No. 3827

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the governing board of a junior college
3 district to hold an open or closed meeting by telephone conference
4 call.

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

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

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

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

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

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

23 (e) The location of the meeting shall provide two-way
24 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 SECTION 2. The heading to Section 551.121, Government Code,
6 is amended to read as follows:

7 Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER
8 EDUCATION; BOARD FOR LEASE OF UNIVERSITY LANDS: SPECIAL MEETING
9 FOR IMMEDIATE ACTION.

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

12 (c) A meeting held by telephone conference call authorized
13 by this section may be held 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 or Board for Lease of University Lands is difficult
18 or impossible.

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

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

ADOPTED

MAY 17 2007

Aditya Spaw
Secretary of the Senate

By: *Zaffirini*

H.B. No. 3827

Substitute the following for H.B. No. 3827:

By: *Lucio*

C.S. H.B. No. 3827

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19 is required to be open to the public shall be audible to the public
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22 public.

23 (e) The location of the meeting shall provide two-way
24 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.

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5 Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3827 by Morrison (Relating to the authority of the governing board of a junior college district to hold an open or closed meeting by telephone conference call.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, KJG, MN, RT, JAW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 8, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3827 by Morrison (Relating to the authority of the governing board of a junior college district to hold an open or closed meeting by telephone conference call.), **As Engrossed**

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Local Government Impact

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Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, KJG, MN, RT, JAW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 7, 2007

TO: Honorable Geanie Morrison, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3827 by Morrison (Relating to the authority of the governing board of a junior college district to hold an open or closed meeting by telephone conference call.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, MN, RT, JAW