

By: Eissler

H.B. No. 2365

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the structure, powers, and duties of the State Board of
3 Education and the commissioner of education.

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

5 SECTION 1. Section 7.055(a), Education Code, is amended to
6 read as follows:

7 (a) The commissioner has the powers and duties provided by
8 Subsection (b) or by another provision of law. The commissioner
9 shall carry out the commissioner's powers and duties in
10 consultation with the board.

11 SECTION 2. Section 7.101(a), Education Code, is amended to
12 read as follows:

13 (a) The State Board of Education is composed of 15 members
14 elected from districts. Each district from which a board member is
15 elected is composed as provided by the court order dated November 2,
16 2001, in Miller v. Cuellar, No. 3-01CV1072-G (N.D. Tex.) [~~former~~
17 ~~Sections 11.2101(b)-(t), as enacted by Chapter 2, Acts of the 72nd~~
18 ~~Legislature, 2nd Called Session, 1991]~~].

19 SECTION 3. Section 7.102(b), Education Code, is amended to
20 read as follows:

21 (b) The board has the powers and duties provided by
22 Subsection (c). The board shall carry [~~, which shall be carried~~]
23 out its powers and duties with the advice and assistance of the
24 commissioner.

1 SECTION 4. Section 7.102(c), Education Code, is amended by
2 adding Subdivision (35) to read as follows:

3 (35) The board may employ a reasonable number of staff
4 in carrying out its powers and duties under this section.

5 SECTION 5. Section 7.105(a), Education Code, is amended to
6 read as follows:

7 (a) Except as provided by Section 1551.101(c), Insurance
8 Code, a [A] member of the board is not entitled to receive
9 compensation.

10 SECTION 6. Section 7.106, Education Code, is amended to
11 read as follows:

12 Sec. 7.106. MEETINGS. The board shall hold four meetings a
13 year in Austin, Texas, on dates determined by the presiding officer
14 [~~chair~~] and may hold other meetings as may be called by the
15 presiding officer [~~chair~~].

16 SECTION 7. Section 7.107, Education Code, is amended to
17 read as follows:

18 Sec. 7.107. OFFICERS. (a) The governor, with the advice
19 and consent of the senate, shall appoint the presiding officer
20 [~~chair~~] from among the membership of the board. The presiding
21 officer [~~chair~~] serves a term of two years.

22 (b) At the board's first regular meeting after the election
23 and qualification of new members, the board shall organize, adopt
24 rules of procedure, and elect by separate votes an assistant
25 presiding officer [~~a vice chair~~] and a secretary.

26 (c) A person who serves two consecutive terms as presiding
27 officer [~~chair~~] is ineligible to again serve as presiding officer

1 ~~chair~~ until six ~~four~~ years have elapsed since the expiration of
2 the second term.

3 SECTION 8. Subchapter D, Chapter 7, Education Code, is
4 amended by adding Section 7.1075 to read as follows:

5 Sec. 7.1075. COMMITTEES. The board may establish
6 committees of the board, including a committee on instruction, a
7 committee on planning, and a committee on school finance and the
8 permanent school fund.

9 SECTION 9. Section 1551.101, Insurance Code, is amended by
10 adding Subsection (c) to read as follows:

11 (c) An individual who is a member of the State Board of
12 Education is eligible to participate in the group benefits program
13 as provided by Subsection (a).

14 SECTION 10. This Act takes effect September 1, 2009.