

By: Naishtat

H.B. No. 3865

A BILL TO BE ENTITLED

AN ACT

relating to governance of the State Board of Education.

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

SECTION 1. Section 7.107, Education Code, is amended to read as follows:

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

~~[(b)]~~ At the board's first regular meeting after the election and qualification of new members, the board shall organize, adopt rules of procedure, and conduct ~~[elect by]~~ separate elections to select board members for the offices of chair, [votes a] vice chair, and [a] secretary.

(a-1) Notwithstanding Subsection (a), the board shall elect a chair, vice chair, and secretary in compliance with this section not later than October 1, 2009. Notwithstanding Subsection (c), officers elected under this subsection serve terms that expire on election of new officers under this section after the biennial general election occurring on November 2, 2010. This subsection expires January 1, 2011.

(b) The chair of the board must be elected by affirmative vote of two-thirds of the total number of members on the board. The vice chair and secretary must be elected by affirmative vote of a majority of the total number of members on the board.

1 (c) Each officer elected by the board under this section
2 serves a term of two years [~~A person who serves two consecutive~~
3 ~~terms as chair is ineligible to again serve as chair until four~~
4 ~~years have elapsed since the expiration of the second term)].~~

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2009.