

By: Shapleigh

S.B. No. 2181

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of regional advisory councils on state educational grant funding to review and report concerning state grants awarded for public educational programs.

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

SECTION 1. Subtitle I, Title 2, Education Code, is amended by adding Chapter 49 to read as follows:

CHAPTER 49. REGIONAL ADVISORY COUNCILS ON STATE GRANT FUNDING

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 49.001. DEFINITIONS. In this chapter:

(1) "Council" means a regional advisory council on state grant funding.

(2) "Public educational program" means any public preschool, kindergarten through grade 12, or adult education program.

(3) "State grant" includes any grant awarded by the state regardless of whether the grant funds originated with the state or another source.

Sec. 49.002. ESTABLISHMENT OF COUNCILS; COMPOSITION. (a) For each regional education service center region established under Section 8.001, a regional advisory council on state grant funding shall be established to review and report concerning state grants awarded for public educational programs.

(b) Each council is composed of 15 members. The governor,

lieutenant governor, and speaker of the house of representatives shall each appoint five persons to each council.

Sec. 49.003. ELIGIBILITY FOR APPOINTMENT AND MEMBERSHIP. To be eligible for appointment and to serve on a council, a person must reside in the boundaries of that council region.

Sec. 49.004. TERMS OF OFFICE. Members of a council serve staggered four-year terms. A member may be reappointed.

Sec. 49.005. OFFICERS. Each calendar year, at the first meeting that is held after February 1, a council shall elect from among the council members a president, vice president, and secretary. An officer serves a one-year term.

Sec. 49.006. VACANCY. A vacancy in a position on a council shall be filled for the remainder of the unexpired term by the appointing official for that position.

Sec. 49.007. COMPENSATION. Council members serve without compensation.

Sec. 49.008. MEETINGS. (a) Meetings of a council shall be held at the call of the president.

(b) Council meetings shall be open to the public.

Sec. 49.009. APPLICABILITY OF ADVISORY COMMITTEE LAW. Chapter 2110, Government Code, does not apply to a council.

Sec. 49.010. GIFTS, GRANTS, AND DONATIONS. A council may accept gifts, grants, and donations to accomplish the council's purposes.

[Sections 49.011-49.050 reserved for expansion]

#### SUBCHAPTER B. COUNCIL DUTIES

Sec. 49.051. DETERMINATIONS. For each school year, a

1 council shall determine for the council's region:

2 (1) the total amount of state grants awarded for  
3 public educational programs in that school year;

4 (2) the specific source of each grant awarded;

5 (3) the amount, if any, of the increase in state grant  
6 funds awarded for public educational programs for that year over  
7 the amount awarded for the 2009-2010 school year;

8 (4) the purpose for which each grant was awarded and  
9 the purpose for which the grant was used;

10 (5) the manner in which the purpose or use relates to  
11 the region's educational or workforce needs; and

12 (6) if the term for which a grant was awarded has  
13 ended, the effect of the grant award funding on the program for  
14 which the grant award funds were used.

15 Sec. 49.052. REPORTS. Not later than January 1 of each  
16 year, a council shall submit to the agency a written report that  
17 includes each determination for the preceding school year made  
18 under Section 49.051.

19 SECTION 2. (a) Not later than December 31, 2009, the  
20 governor, lieutenant governor, and speaker of the house of  
21 representatives shall appoint members to the regional advisory  
22 councils on state educational grant funding as provided under  
23 Section 49.002, Education Code, as added by this Act.

24 (b) Notwithstanding Section 49.004, Education Code, as  
25 added by this Act, in making the initial appointments to each  
26 regional advisory council:

27 (1) the governor shall appoint:

(A) three members to terms expiring February 1, 2012; and

(B) two members to terms expiring February 1, 2014;

(2) the lieutenant governor shall appoint:

(A) two members to terms expiring February 1, 2012; and

(B) three members to terms expiring February 1, 2014; and

(3) the speaker of the house of representatives shall appoint:

(A) three members to terms expiring February 1, 2012; and

(B) two members to terms expiring February 1, 2014.

(c) A regional advisory council on state grant funding shall make the initial determinations and reports required by Subchapter B, Chapter 49, Education Code, as added by this Act, not later than January 1, 2011, based on grants awarded for the 2009-2010 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.