

By: Miller of Comal, Button, McClendon,
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H.B. No. 2120

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the board of trustees of the Teacher Retirement System of Texas.

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

SECTION 1. Section 825.002, Government Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) The governor shall appoint one member of the board from a slate of three persons ~~[members of the retirement system]~~ who ~~[are currently employed by an institution of higher education and who]~~ have been nominated in accordance with Subsection (f) by the following groups collectively:

(1) [the] members of the retirement system whose most recent credited service was performed for an institution of higher education;

(2) members of the retirement system whose most recent credited service was performed for a public school district; and

(3) persons who have retired and are receiving benefits from the retirement system.

(e-1) A person may be nominated for appointment to the board under Subsection (e) if the person is:

(1) a member of the retirement system who is currently employed by an institution of higher education;

(2) a member of the retirement system who is currently

1 employed by a public school district; or

2 (3) a former member of the retirement system who has
3 retired and is receiving benefits from the system.

4 SECTION 2. Sections 825.010(a) and (c), Government Code,
5 are amended to read as follows:

6 (a) It is a ground for removal from the board of trustees
7 that a trustee:

8 (1) does not have at the time of taking office the
9 qualifications required for the trustee's position;

10 (2) does not maintain during service on the board the
11 qualifications required for the trustee's position;

12 (3) violates a prohibition established by Section
13 825.002(b) or 825.0032 applicable to the trustee;

14 (4) cannot because of illness or disability discharge
15 the trustee's duties for a substantial part of the term for which
16 the trustee is appointed; or

17 (5) is absent from more than half of the regularly
18 scheduled board meetings that the person is eligible to attend
19 during a calendar year without an excuse approved by a majority vote
20 of the board.

21 (c) If the executive director has knowledge that a potential
22 ground for removal exists, the executive director shall notify the
23 presiding officer of the board of trustees of the ground. The
24 presiding officer shall then notify the governor [~~appropriate~~
25 ~~appointing officer~~] and the attorney general that a potential
26 ground for removal exists. If the potential ground for removal
27 involves the presiding officer, the executive director shall notify

1 the next highest officer of the board, who shall notify the governor
2 [~~appropriate appointing officer~~] and the attorney general that a
3 potential ground for removal exists.

4 SECTION 3. (a) This Act applies only to the appointment of
5 a trustee of the board of trustees of the Teacher Retirement System
6 of Texas that occurs on or after the effective date of this Act.

7 (b) A person who is serving as a trustee immediately before
8 the effective date of this Act may complete the trustee's term of
9 office, and the trustee's qualifications for serving as a trustee
10 are governed by the law in effect immediately before the effective
11 date of this Act until the date that trustee's term expires.

12 SECTION 4. This Act takes effect September 1, 2011.