

By: Miller of Comal

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. Sections 825.002(d) and (f), Government Code, are amended to read as follows:

(d) The governor shall appoint two members [~~one member~~] of the board from a slate of three former members of the retirement system who have retired and are receiving benefits from the retirement system and who have been nominated in accordance with Subsections (f) and (g) by the persons who have retired and are receiving benefits from the retirement system. The two members hold office for staggered terms.

(f) Persons considered for nomination under Subsection (c) or [~~or~~] (d) [~~or (e)~~] must have been nominated by written ballot at an election conducted under rules adopted by the board of trustees.

SECTION 2. Section 825.0032(b), Government Code, is amended to read as follows:

(b) Subsection (a) does not apply to employment by, participation in the management of, or ownership or control of an interest in a business entity or other organization on behalf of the retirement system. Subsection (a)(3) does not apply to a person who is nominated for appointment under Section 825.002(c) or [~~or~~] (d) [~~or (e)~~].

SECTION 3. Sections 825.010(a) and (c), Government Code, are amended to read as follows:

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

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

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

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

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

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

(c) If the executive director has knowledge that a potential ground for removal exists, the executive director shall notify the presiding officer of the board of trustees of the ground. The presiding officer shall then notify the governor [~~appropriate appointing officer~~] and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the executive director shall notify the next highest officer of the board, who shall notify the governor [~~appropriate appointing officer~~] and the attorney general that a potential ground for removal exists.

1           SECTION 4.   Section   825.002(e),   Government   Code,   is  
2   repealed.

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

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

11          SECTION 6.   This Act takes effect September 1, 2011.