

1-1 By: Miller of Comal, et al. H.B. No. 2120
1-2 (Senate Sponsor - Duncan)
1-3 (In the Senate - Received from the House May 16, 2011;
1-4 May 16, 2011, read first time and referred to Committee on State
1-5 Affairs; May 19, 2011, reported favorably by the following vote:
1-6 Yeas 8, Nays 0; May 19, 2011, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the composition of the board of trustees of the Teacher
1-10 Retirement System of Texas.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 825.002, Government Code, is amended by
1-13 amending Subsection (e) and adding Subsection (e-1) to read as
1-14 follows:

1-15 (e) The governor shall appoint one member of the board from
1-16 a slate of three persons [~~members of the retirement system~~] who [~~are~~
1-17 ~~currently employed by an institution of higher education and who~~]
1-18 have been nominated in accordance with Subsection (f) by the
1-19 following groups collectively:

1-20 (1) [~~the~~] members of the retirement system whose most
1-21 recent credited service was performed for an institution of higher
1-22 education;

1-23 (2) members of the retirement system whose most recent
1-24 credited service was performed for a public school district; and

1-25 (3) persons who have retired and are receiving
1-26 benefits from the retirement system.

1-27 (e-1) A person may be nominated for appointment to the board
1-28 under Subsection (e) if the person is:

1-29 (1) a member of the retirement system who is currently
1-30 employed by an institution of higher education;

1-31 (2) a member of the retirement system who is currently
1-32 employed by a public school district; or

1-33 (3) a former member of the retirement system who has
1-34 retired and is receiving benefits from the system.

1-35 SECTION 2. Sections 825.010(a) and (c), Government Code,
1-36 are amended to read as follows:

1-37 (a) It is a ground for removal from the board of trustees
1-38 that a trustee:

1-39 (1) does not have at the time of taking office the
1-40 qualifications required for the trustee's position;

1-41 (2) does not maintain during service on the board the
1-42 qualifications required for the trustee's position;

1-43 (3) violates a prohibition established by Section
1-44 825.002(b) or 825.0032 applicable to the trustee;

1-45 (4) cannot because of illness or disability discharge
1-46 the trustee's duties for a substantial part of the term for which
1-47 the trustee is appointed; or

1-48 (5) is absent from more than half of the regularly
1-49 scheduled board meetings that the person is eligible to attend
1-50 during a calendar year without an excuse approved by a majority vote
1-51 of the board.

1-52 (c) If the executive director has knowledge that a potential
1-53 ground for removal exists, the executive director shall notify the
1-54 presiding officer of the board of trustees of the ground. The
1-55 presiding officer shall then notify the governor [~~appropriate~~
1-56 ~~appointing officer~~] and the attorney general that a potential
1-57 ground for removal exists. If the potential ground for removal
1-58 involves the presiding officer, the executive director shall notify
1-59 the next highest officer of the board, who shall notify the governor
1-60 [~~appropriate appointing officer~~] and the attorney general that a
1-61 potential ground for removal exists.

1-62 SECTION 3. (a) This Act applies only to the appointment of
1-63 a trustee of the board of trustees of the Teacher Retirement System
1-64 of Texas that occurs on or after the effective date of this Act.

2-1 (b) A person who is serving as a trustee immediately before
2-2 the effective date of this Act may complete the trustee's term of
2-3 office, and the trustee's qualifications for serving as a trustee
2-4 are governed by the law in effect immediately before the effective
2-5 date of this Act until the date that trustee's term expires.

2-6 SECTION 4. This Act takes effect September 1, 2011.

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