

SENATE AMENDMENTS

2nd Printing

By: Branch, Vo, et al.

H.B. No. 31

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.

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

SECTION 1. Subchapter F, Chapter 551, Government Code, is amended by adding Section 551.1281 to read as follows:

Sec. 551.1281. GOVERNING BOARD OF GENERAL ACADEMIC TEACHING INSTITUTION OR UNIVERSITY SYSTEM: INTERNET POSTING OF MEETING MATERIALS AND BROADCAST OF OPEN MEETING. (a) In this section, "general academic teaching institution" and "university system" have the meanings assigned by Section 61.003, Education Code.

(b) The governing board of a general academic teaching institution or of a university system that includes one or more component general academic teaching institutions, for any regularly scheduled meeting of the governing board for which notice is required under this chapter, shall:

(1) post as early as practicable in advance of the meeting on the Internet website of the institution or university system, as applicable, any written agenda and related supplemental written materials provided by the institution or system to the governing board members for the members' use during the meeting;

(2) broadcast the meeting, other than any portions of the meeting closed to the public as authorized by law, over the

1 Internet in the manner prescribed by Section 551.128; and
2 (3) record the broadcast and make that recording
3 publicly available in an online archive located on the
4 institution's or university system's Internet website.

5 (c) Subsection (b)(1) does not apply to written materials
6 that the general counsel or other appropriate attorney for the
7 institution or university system certifies are confidential or may
8 be withheld from public disclosure under Chapter 552.


9 (d) The governing board of a general academic teaching
10 institution or of a university system is not required to comply with
11 the requirements of this section if that compliance is not possible
12 because of an act of God, force majeure, or a similar cause not
13 reasonably within the governing board's control.

14 SECTION 2. The change in law made by this Act applies only
15 to a meeting of the governing board of a general academic teaching
16 institution or of a state university system for which notice is
17 given under Chapter 551, Government Code, on or after January 1,
18 2014.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013


Secretary of the Senate

By: Branch/Zaffirini

H.B. No. 31

Substitute the following for H.B. No. 31 :

By: Zaffirini

C.S.H.B. No. 31

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3 governing board of a general academic teaching institution or a
4 state university system.

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7 amended by adding Section 551.1281 to read as follows:

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9 INSTITUTION OR UNIVERSITY SYSTEM: INTERNET POSTING OF MEETING
10 MATERIALS AND BROADCAST OF OPEN MEETING. (a) In this section,
11 "general academic teaching institution" and "university system"
12 have the meanings assigned by Section 61.003, Education Code.

13 (b) The governing board of a general academic teaching
14 institution or of a university system that includes one or more
15 component general academic teaching institutions, for any
16 regularly scheduled meeting of the governing board for which notice
17 is required under this chapter, shall:

18 (1) post as early as practicable in advance of the
19 meeting on the Internet website of the institution or university
20 system, as applicable, any written agenda and related supplemental
21 written materials provided to the governing board members in
22 advance of the meeting by the institution or system for the members'
23 use during the meeting;

24 (2) broadcast the meeting, other than any portions of

1 the meeting closed to the public as authorized by law, over the
2 Internet in the manner prescribed by Section 551.128; and

3 (3) record the broadcast and make that recording
4 publicly available in an online archive located on the
5 institution's or university system's Internet website.

6 (c) Subsection (b)(1) does not apply to written materials
7 that the general counsel or other appropriate attorney for the
8 institution or university system certifies are confidential or may
9 be withheld from public disclosure under Chapter 552.

10 (d) The governing board of a general academic teaching
11 institution or of a university system is not required to comply with
12 the requirements of this section if that compliance is not possible
13 because of an act of God, force majeure, or a similar cause not
14 reasonably within the governing board's control.

15 SECTION 2. The change in law made by this Act applies only
16 to a meeting of the governing board of a general academic teaching
17 institution or of a state university system for which notice is
18 given under Chapter 551, Government Code, on or after January 1,
19 2014.

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21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB31 by Branch (Relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill amends the Government Code as it relates to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system. For such meetings, the governing board must post on its website the written agenda and any related supplemental materials provided to the board members for their use during the meeting unless the written materials are confidential or protected from disclosure under Chapter 552 of the Government Code. The bill requires the meeting, except for those portions that are closed to the public, must be broadcast on the internet. The broadcast must be recorded and publicly available in an online archive located on the institution's or university system's Internet website. This provision applies only to meetings for which notice is given per Chapter 551 of the Government Code on or after January 14, 2014. The bill includes a provision that the governing board is not required to comply with the requirements of this section if that compliance is not possible because of an act of God, force majeure, or a similar cause not reasonably within the governing board's control. Any costs associated with implementing provisions of the bill would be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 768 Texas Tech University System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, SD, KK, SK, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 17, 2013

TO: Honorable Kel Seliger, Chair, Senate Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB31** by Branch (relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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LBB Staff: UP, KK, SK, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 10, 2013

TO: Honorable Kel Seliger, Chair, Senate Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB31 by Branch (Relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.),
As Engrossed

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LBB Staff: UP, KK, SK, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 8, 2013

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB31 by Branch (relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

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LBB Staff: UP, KK, SK, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 10, 2013

TO: Honorable Dan Branch, Chair, House Committee On Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB31 by Branch (Relating to certain requirements applicable to meetings of the governing board of a state university or state university system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The amends the Government Code as it relates to certain requirements to meetings of the governing board of a state university or state university system. For such meetings, the governing board must post on its website the written agenda and any related supplemental materials provided to the board members for their use during the meeting unless the written materials are confidential or protected from disclosure under Chapter 552 of the Government Code. The bill requires the meeting, except for those portions that are closed to the public, must be broadcast on the internet. This provision applies only to meetings for which notice is given per Chapter 551 of the Government Code on or after January 14, 2014. Any costs associated with implementing provisions of the bill would be absorbed within existing resources.

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