

BILL ANALYSIS

Senate Research Center
85R24275 JRJ-D

C.S.S.B. 1092
By: Seliger
Higher Education
4/20/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Tuition Equalization Grant (TEG) program in Texas provides students who demonstrate financial need and attend a private, non-profit college or university grant aid. While public higher education institutions must meet certain requirements under the Open Meetings Act, private institutions do not have to meet these same requirements. Currently, these meetings are closed to the public.

S.B. 1092 requires the board of regents at private, non-profit colleges or universities to meet various transparency requirements if the institution receives \$5 million or more annually in TEG funding. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1092 amends current law relating to access to certain meetings and information of private or independent institutions of higher education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.226, Education Code, as follows:

Sec. 61.226. APPLICATION OF LAWS TO RECEIVING INSTITUTIONS. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Provides that the governing board (board) of a college or university with enrolled students who receive tuition equalization grants under this subchapter (Tuition Equalization Grants) in an annual amount of \$9 million or more:

(1) is required to, except as provided by Subdivision (2), open each meeting of the governing board to the public, broadcast the meeting on the college's or university's Internet website, and publish the minutes of the meeting on the college's or university's Internet website;

(2) is authorized to meet in executive session or otherwise conduct a closed meeting only in the manner provided for a governmental body by Chapter 551 (Open Meetings), Government Code;

(3) is required to publish certain governing documents publicly on the college's or university's Internet website;

(4) is required to make all board committee membership and board committee changes available to the public; and

(5) is prohibited from requiring members of the board to enter into a nondisclosure agreement to obtain access to information described by this

subsection, including a matter discussed or considered in an open meeting under Subdivision (1).

(c) Provides that Subsection (b) and this subsection expire September 1, 2019.

SECTION 2. Effective date: September 1, 2017.