

By: Nelson

S.B. No. 239

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the requirements for meetings of certain special
3 districts.

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

5 SECTION 1. Section 551.128(b-1), Government Code, is
6 amended to read as follows:

7 (b-1) A transit authority or department subject to Chapter
8 451, 452, 453, or 460, Transportation Code, an elected school
9 district board of trustees for a school district that has a student
10 enrollment of 10,000 or more, an elected governing body of a
11 home-rule municipality that has a population of 50,000 or more, a
12 governing body of a special district subject to Chapter 51, 53, 54,
13 or 55, Water Code, that has a population of 500 or more, or a county
14 commissioners court for a county that has a population of 125,000 or
15 more shall:

16 (1) make a video and audio recording of reasonable
17 quality of each:

18 (A) regularly scheduled open meeting that is not
19 a work session or a special called meeting; and

20 (B) open meeting that is a work session or
21 special called meeting if:

22 (i) the governmental body is an elected
23 school district board of trustees for a school district that has a
24 student enrollment of 10,000 or more; and

1 (ii) at the work session or special called
2 meeting, the board of trustees votes on any matter or allows public
3 comment or testimony; and

4 (2) make available an archived copy of the video and
5 audio recording of each meeting described by Subdivision (1) on the
6 Internet.

7 SECTION 2. Section 49.062, Water Code, is amended by
8 amending Subsections (b) and (c) and adding Subsection (e) to read
9 as follows:

10 (b) Except as provided by Subsection (e), the ~~[The]~~ board
11 shall designate one or more places inside or outside the district
12 for conducting the meetings of the board. The meeting place may be
13 a private residence or office, provided that the board, in its order
14 establishing the meeting place, declares the same to be a public
15 place and invites the public to attend any meeting of the board. If
16 the board establishes a meeting place or places outside the
17 district, it shall give notice of the location or locations by
18 filing a true copy of the resolution establishing the location or
19 locations of the meeting place or places with the commission and
20 also by publishing notice of the location or locations in a
21 newspaper of general circulation in the district. If the location
22 of any of the meeting places outside the district is changed, notice
23 of the change shall be given in the same manner.

24 (c) Except as provided by Subsection (e), after ~~[After]~~ at
25 least 25 qualified electors are residing in a district, on written
26 request of at least five of those electors, the board shall
27 designate a meeting place and hold meetings within the district if

1 it determines that the meeting place used by the district deprives
2 the residents of a reasonable opportunity to attend district
3 meetings. On the failure to designate the location of the meeting
4 place within the district, five electors may petition the
5 commission to designate a location. If it determines that the
6 meeting place used by the district deprives the residents of a
7 reasonable opportunity to attend district meetings, the commission
8 may designate a meeting place inside or outside the district which
9 is reasonably available to the public and require that the meetings
10 be held at such place. After the next election, the board may
11 designate different meeting places, including one located outside
12 the boundaries of the district.

13 (e) This subsection applies to a district with a population
14 of 500 or more. The board shall designate a place inside the
15 district for conducting the meetings of the board. If the board is
16 unable to designate a suitable meeting place inside the district,
17 the board may designate a place outside the district that is located
18 not farther than 10 miles from the district's boundaries.

19 SECTION 3. The changes in law made by this Act apply only to
20 an open meeting held on or after the effective date of this Act. An
21 open meeting that is held before the effective date of this Act is
22 governed by the law in effect on the date of the open meeting, and
23 the former law is continued in effect for that purpose.

24 SECTION 4. This Act takes effect September 1, 2019.