By:  Metcalf H.B. No. 4294

A BILL TO BE ENTITLED

AN ACT

relating to the organization and efficient operation of the legislative branch of state government through joint entities.

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

SECTION 1.  Chapter 301, Government Code, is amended by adding Section 301.034 to read as follows:

Sec. 301.034.  JOINT INTERIM COMMITTEE PER DIEM AND TRAVEL EXPENSES. Unless a statute expressly provides otherwise, per diem and travel expenses paid to a member of a joint committee established by statute shall be paid by the house to which the member belongs. The per diem and travel expenses paid to a public member of the committee shall be paid by the office of the appointing entity.

SECTION 2.  Section 321.002, Government Code, is amended by adding Subsections (f) and (g) to read as follows:

(f)  As an exception to Chapter 551 and other law, if a meeting is located in Austin and the joint chairs of the committee are physically present at the meeting, then any number of the other members of the committee may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection:

(1)  applies only if a disaster has been declared and is currently in effect in this state as the result of:

(A)  a declaration by the president of the United States under federal law; or

(B)  a declaration or determination by a public officer, governing body, or authority under Chapter 418, Government Code, Chapter 81, Health and Safety Code, or other law, including the Texas Constitution;

(2)  applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a member of the committee to otherwise fully participate in any meeting of the committee; and

(3)  applies without exception with regard to the subject of the meeting or topics considered by the members.

(g)  A meeting held under Subsection (f) by use of telephone conference call, video conference call, or other similar telecommunication device:

(1)  is subject to the notice requirements applicable to other meetings;

(2)  must specify in the notice of the meeting the location in Austin of the meeting at which the joint chairs will be physically present;

(3)  must be open to the public and shall be audible to the public at the location in Austin specified in the notice of the meeting as the location of the meeting at which the joint chairs will be physically present; and

(4)  must provide two-way audio communication between all members of the committee attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 3.  Section 323.003, Government Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1)  As an exception to Chapter 551 and other law, if a meeting is located in Austin and the joint chairs of the council are physically present at the meeting, then any number of the other members of the council may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection:

(1)  applies only if a disaster has been declared and is currently in effect in this state as the result of:

(A)  a declaration by the president of the United States under federal law; or

(B)  a declaration or determination by a public officer, governing body, or authority under Chapter 418, Government Code, Chapter 81, Health and Safety Code, or other law, including the Texas Constitution;

(2)  applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a member of the council to otherwise fully participate in any meeting of the council; and

(3)  applies without exception with regard to the subject of the meeting or topics considered by the members.

(a-2)  A meeting held under Subsection (a-1) by use of telephone conference call, video conference call, or other similar telecommunication device:

(1)  is subject to the notice requirements applicable to other meetings;

(2)  must specify in the notice of the meeting the location in Austin of the meeting at which the joint chairs will be physically present;

(3)  must be open to the public and shall be audible to the public at the location in Austin specified in the notice of the meeting as the location of the meeting at which the joint chairs will be physically present; and

(4)  must provide two-way audio communication between all members of the council attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 4.  Section 324.004, Government Code, is amended by adding Subsections (e) and (f) to read as follows:

(e)  As an exception to Chapter 551 and other law, if a meeting is located in Austin and the joint chairs of the board are physically present at the meeting, then any number of the other members of the board may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection:

(1)  applies only if a disaster has been declared and is currently in effect in this state as the result of:

(A)  a declaration by the president of the United States under federal law; or

(B)  a declaration or determination by a public officer, governing body, or authority under Chapter 418, Government Code, Chapter 81, Health and Safety Code, or other law, including the Texas Constitution;

(2)  applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a member of the board to otherwise fully participate in any meeting of the board; and

(3)  applies without exception with regard to the subject of the meeting or topics considered by the members.

(f)  A meeting held under Subsection (e) by use of telephone conference call, video conference call, or other similar telecommunication device:

(1)  is subject to the notice requirements applicable to other meetings;

(2)  must specify in the notice of the meeting the location in Austin of the meeting at which the joint chairs will be physically present;

(3)  must be open to the public and shall be audible to the public at the location in Austin specified in the notice of the meeting as the location of the meeting at which the joint chairs will be physically present; and

(4)  must provide two-way audio communication between all members of the board attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 5.  Section 325.003, Government Code, is amended by adding Subsections (l) and (m) to read as follows:

(l)  As an exception to Chapter 551 and other law, if a meeting is located in Austin and the chairman and vice-chairman of the commission are physically present at the meeting, then any number of the other members of the commission may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection:

(1)  applies only if a disaster has been declared and is currently in effect in this state as the result of:

(A)  a declaration by the president of the United States under federal law; or

(B)  a declaration or determination by a public officer, governing body, or authority under Chapter 418, Government Code, Chapter 81, Health and Safety Code, or other law, including the Texas Constitution;

(2)  applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a member of the commission to otherwise fully participate in any meeting of the commission; and

(3)  applies without exception with regard to the subject of the meeting or topics considered by the members.

(m)  A meeting held under Subsection (l) by use of telephone conference call, video conference call, or other similar telecommunication device:

(1)  is subject to the notice requirements applicable to other meetings;

(2)  must specify in the notice of the meeting the location in Austin of the meeting at which the chairman and vice-chairman will be physically present;

(3)  must be open to the public and shall be audible to the public at the location in Austin specified in the notice of the meeting as the location of the meeting at which the chairman and vice-chairman will be physically present; and

(4)  must provide two-way audio communication between all members of the commission attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 6.  Section 326.001, Government Code, is amended to read as follows:

Sec. 326.001.  DEFINITION. In this chapter, "legislative agency" means:

(1)  the senate;

(2)  the house of representatives;

(3)  a committee, division, department, or office of the senate or house;

(4)  the Texas Legislative Council;

(5)  the Legislative Budget Board;

(6)  the Legislative Reference Library;

(7)  the office of the State Auditor; or

(8)  any other agency in the legislative branch of state government other than the Texas Ethics Commission.

SECTION 7  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.