

By: Paddie

H.B. No. 1850

A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the Prepaid Higher Education Tuition Board.

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

SECTION 1. Section 54.603, Education Code, is amended to read as follows:

Sec. 54.603. SUNSET PROVISION. The Prepaid Higher Education Tuition Board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and the programs established under this subchapter and under Subchapters G and H terminate September 1, 2033 [~~2021~~].

SECTION 2. Section 54.610, Education Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The [A] training program must [~~established under this section shall~~] provide the person with information [~~to the member~~] regarding:

(1) the law governing [~~enabling legislation that created the~~] board operations;

(2) the programs, functions, rules, and budget of [~~operated by~~] the board;

(3) the scope of and limitations on the rulemaking authority [~~role and functions~~] of the board;

1 (4) ~~[the rules of the board, with an emphasis on the~~
2 ~~rules that relate to disciplinary and investigatory authority,~~
3 ~~[(5) the current budget for the board,~~
4 ~~[(6)]~~ the results of the most recent formal audit of
5 the board;

6 (5) ~~[(7)]~~ the requirements of ~~[the]~~:

7 (A) laws relating to open meetings, public
8 information, ~~[law, Chapter 551, Government Code,~~

9 ~~[(B) open records law, Chapter 552, Government~~
10 ~~Code; and~~

11 ~~[(C)]~~ administrative procedure, and disclosing
12 conflicts ~~[law, Chapter 2001, Government Code,~~

13 ~~[(8) the requirements of the conflict]~~ of interest;
14 ~~[laws]~~ and

15 (B) other laws applicable to members of a state
16 policymaking body in performing their duties ~~[relating to public~~
17 ~~officials]; and~~

18 (6) ~~[(9)]~~ any applicable ethics policies adopted by
19 the board or the Texas Ethics Commission.

20 (d) The executive director of the board shall create a
21 training manual that includes the information required by
22 Subsection (b). The executive director shall distribute a copy of
23 the training manual annually to each board member. Each board
24 member shall sign and submit to the executive director a statement
25 acknowledging that the member received and has reviewed the
26 training manual.

27 SECTION 3. Section 54.617(e), Education Code, is amended to

1 read as follows:

2 (e) The board shall periodically notify the complaint
3 parties of the status of the complaint until final disposition
4 unless the notice would jeopardize an investigation.

5 SECTION 4. Subchapter F, Chapter 54, Education Code, is
6 amended by adding Section 54.6181 to read as follows:

7 Sec. 54.6181. ADVISORY COMMITTEES. (a) The board by rule
8 may establish advisory committees as determined necessary by the
9 board.

10 (b) Chapter 2110, Government Code, does not apply to an
11 advisory committee created by the board.

12 SECTION 5. (a) Except as provided by Subsection (b) of
13 this section, Section 54.610, Education Code, as amended by this
14 Act, applies to a member of the Prepaid Higher Education Tuition
15 Board appointed before, on, or after the effective date of this Act.

16 (b) A member of the Prepaid Higher Education Tuition Board
17 who, before the effective date of this Act, completed the training
18 program required by Section 54.610, Education Code, as that law
19 existed before the effective date of this Act, is only required to
20 complete additional training on the subjects added by this Act to
21 the training program required by Section 54.610, Education Code. A
22 board member described by this subsection may not vote, deliberate,
23 or be counted as a member in attendance at a meeting of the board
24 held on or after December 1, 2021, until the member completes the
25 additional training.

26 SECTION 6. This Act takes effect September 1, 2021.