

1 AN ACT

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

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

5 SECTION 1. Subchapter B, Chapter 301, Government Code, is  
6 amended by adding Section 301.035 to read as follows:

7 Sec. 301.035. JOINT INTERIM COMMITTEE PER DIEM AND TRAVEL  
8 EXPENSES. Unless a statute expressly provides otherwise, per diem  
9 and travel expenses paid to a member of a joint committee  
10 established by statute shall be paid by the house to which the  
11 member belongs. The per diem and travel expenses paid to a public  
12 member of the committee shall be paid by the office of the  
13 appointing entity.

14 SECTION 2. Section 326.001, Government Code, is amended to  
15 read as follows:

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

18 (1) means:

19 (A) [~~(1)~~] the senate;

20 (B) [~~(2)~~] the house of representatives;

21 (C) [~~(3)~~] a committee, division, department, or  
22 office of the senate or house;

23 (D) [~~(4)~~] the Texas Legislative Council;

24 (E) [~~(5)~~] the Legislative Budget Board;

1                    (F) [~~6~~] the Legislative Reference Library;  
2                    (G) [~~7~~] the office of the State Auditor; or  
3                    (H) [~~8~~] any other agency in the legislative  
4 branch of state government; and

5                    (2) does not include the Texas Ethics Commission.

6            SECTION 3. Section 326.002, Government Code, is amended by  
7 adding Subsection (c) to read as follows:

8            (c) The Texas Legislative Council may transfer money to  
9 another legislative agency to cover expenses of the other agency  
10 that the executive director of the council determines to be  
11 necessary to further a purpose of the council.

12            SECTION 4. Chapter 762, Government Code, is transferred to  
13 Subtitle C, Title 3, Government Code, redesignated as Chapter 329,  
14 Government Code, and amended to read as follows:

15            CHAPTER 329 [~~762~~]. COMMISSION ON UNIFORM STATE LAWS

16            Sec. 329.001 [~~762.001~~]. DEFINITIONS. In this chapter:

17            (1) "Commission" means the Commission on Uniform State  
18 Laws.

19            (2) "National conference" means the National  
20 Conference of Commissioners on Uniform State Laws.

21            Sec. 329.002 [~~762.002~~]. DUTIES OF COMMISSION. (a) The  
22 commission shall:

23            (1) promote the uniform judicial interpretation of all  
24 uniform laws; and

25            (2) before January 1 of each odd-numbered year, submit  
26 a biennial report to the legislature that contains an account of the  
27 commission's transactions and its advice and recommendations for

1 legislation.

2 (b) The commission may supplement the report.

3 Sec. 329.003 [~~762.003~~]. COMPOSITION OF COMMISSION; TERMS.

4 (a) The commission is composed of:

5 (1) nine members appointed by the governor;

6 (2) two members appointed by the lieutenant governor,  
7 who are members or officers of the senate;

8 (3) two members appointed by the speaker of the house  
9 of representatives, who are members or officers of the house of  
10 representatives;

11 (4) the chair of the standing committee of the senate  
12 with primary jurisdiction over uniform state laws;

13 (5) the chair of the standing committee of the house of  
14 representatives with primary jurisdiction over uniform state laws;

15 (6) the executive director of the Texas Legislative  
16 Council or a person designated by the executive director; and

17 (7) [~~(3)~~] in addition to the persons described by  
18 Subdivisions (1) through (6) [~~and (2)~~], residents of this state who  
19 have long service in the cause of uniformity in state legislation as  
20 shown by:

21 (A) at least 20 years of service representing the  
22 state as an associate member of the national conference;

23 (B) election as a life member of the national  
24 conference; or

25 (C) at least 15 years of service as a member of  
26 the commission and at least five years of combined service as a  
27 judge or justice of a trial or appellate court of this state.

1 (b) Appointments to the commission shall be made without  
2 regard to the race, creed, sex, religion, or national origin of the  
3 appointees.

4 (c) Members appointed by the governor under Subsection  
5 (a)(1) [~~Appointed members~~] serve staggered six-year terms, with the  
6 terms of three members expiring September 30 of each even-numbered  
7 year.

8 (d) Members appointed by the lieutenant governor under  
9 Subsection (a)(2) serve at the pleasure of the lieutenant governor.

10 (e) Members appointed by the speaker of the house of  
11 representatives under Subsection (a)(3) serve at the pleasure of  
12 the speaker.

13 Sec. 329.004 [~~762.004~~]. ELIGIBILITY [~~FOR APPOINTMENT~~];  
14 LOBBYIST RESTRICTION. (a) To be eligible for appointment to or  
15 service on the commission, a person must be an attorney licensed to  
16 practice law.

17 (b) At least one of the commissioners, at the time of that  
18 commissioner's appointment, must be a state judge.

19 (c) At least one of the commissioners, at the time of that  
20 commissioner's appointment, must be a legal educator.

21 (d) A person required to register as a lobbyist under  
22 Chapter 305 because of the person's activities for compensation in  
23 or on behalf of a profession related to the operation of the  
24 commission may not serve as a commissioner or act as general counsel  
25 to the commission.

26 Sec. 329.005 [~~762.005~~]. DUTIES OF COMMISSIONERS. Each  
27 commissioner shall:

1           (1) promote uniformity in state laws in subject areas  
2 in which uniformity is desirable and practicable; and

3           (2) attend national conference meetings.

4           Sec. 329.006 [~~762.006~~]. VACANCY; EXPIRATION OF TERM. (a)  
5 This section applies only to a commissioner appointed by the  
6 governor.

7           **(b)** The office of an appointed commissioner becomes vacant  
8 on the death, resignation, failure or refusal to serve, or removal  
9 of the commissioner.

10          **(c)** [~~(b)~~] The governor shall fill a vacancy by appointing a  
11 person to the commission for the unexpired term of the commissioner  
12 vacating the office.

13          **(d)** [~~(c)~~] On the vacancy or expiration of the term of office  
14 of an appointed commissioner, the governor shall appoint a state  
15 judge or legal educator if the appointment is required by Section  
16 329.004(b) [~~762.004(b)~~] or (c).

17          Sec. 329.007 [~~762.008~~]. GROUNDS FOR REMOVAL. (a) It is a  
18 ground for removal from the commission if a member:

19           (1) did not have, at the time of appointment or  
20 election, the qualifications required by Section 329.004  
21 [~~762.004~~];

22           (2) does not maintain the qualifications required by  
23 Section 329.004 [~~762.004~~];

24           (3) is prohibited from serving as a commissioner under  
25 Section 329.004(d) [~~762.004(d)~~]; or

26           (4) is ineligible to participate in activities of the  
27 national conference.

1 (b) The validity of an action of the commission is not  
2 affected because it is taken when a member is subject to removal.

3 Sec. 329.008 [~~762.009~~]. MEETING AND ELECTION OF OFFICERS.

4 (a) The commission shall meet at least once every two years.

5 (b) The commissioners shall elect a chair [~~chairman~~] and  
6 secretary, who shall each hold office for a term of two years.

7 Sec. 329.009 [~~762.010~~]. COMPENSATION. A commissioner  
8 serves without compensation but is entitled to be reimbursed for  
9 reasonable expenses incurred in the performance of the  
10 commissioner's duties.

11 Sec. 329.010 [~~762.011~~]. SUPPORT SERVICES. The Texas  
12 Legislative Council shall provide accounting, clerical, and other  
13 support services necessary for the commission to carry out its  
14 duties.

15 SECTION 5. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 4294 was passed by the House on May 7, 2021, by the following vote: Yeas 143, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4294 on May 28, 2021, by the following vote: Yeas 133, Nays 14, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 4294 was passed by the Senate, with amendments, on May 27, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor