

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

1 States under federal law; or

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

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

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

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

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

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

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

24 (4) must provide two-way audio communication between  
25 all members of the committee attending the meeting during the  
26 entire meeting, and if the two-way audio communication link with  
27 any member attending the meeting is disrupted at any time, the

1 meeting may not continue until the two-way audio communication link  
2 is reestablished.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 reestablished.

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

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

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

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

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

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

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

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

27 (1) is subject to the notice requirements applicable

1 to other meetings;

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

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

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

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

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

19 (1) the senate;

20 (2) the house of representatives;

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

23 (4) the Texas Legislative Council;

24 (5) the Legislative Budget Board;

25 (6) the Legislative Reference Library;

26 (7) the office of the State Auditor; or

27 (8) any other agency in the legislative branch of

1 state government other than the Texas Ethics Commission.

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