

By: Paxton, et al.  
(Paddie)

S.B. No. 702

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 C 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 policy-making 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 to make recommendations to the  
9 board on programs, rules, and policies administered by the board.

10 (b) In establishing an advisory committee under this  
11 section, the board shall adopt rules, including rules regarding:

12 (1) the purpose, role, responsibility, goals, and  
13 duration of the committee;

14 (2) the size of and quorum requirement for the  
15 committee;

16 (3) qualifications for committee membership;

17 (4) appointment procedures for members;

18 (5) terms of service for members;

19 (6) training requirements for members;

20 (7) policies to avoid conflicts of interest by  
21 members;

22 (8) a periodic review process to evaluate the  
23 continuing need for the committee; and

24 (9) policies to ensure the committee does not violate  
25 any provision of Chapter 551, Government Code, applicable to the  
26 board or the committee.

27 (c) Chapter 2110, Government Code, does not apply to an

1 advisory committee created by the board.

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

6 (b) A member of the Prepaid Higher Education Tuition Board  
7 who, before the effective date of this Act, completed the training  
8 program required by Section 54.610, Education Code, as that law  
9 existed before the effective date of this Act, is only required to  
10 complete additional training on the subjects added by this Act to  
11 the training program required by Section 54.610, Education Code. A  
12 board member described by this subsection may not vote, deliberate,  
13 or be counted as a member in attendance at a meeting of the board  
14 held on or after December 1, 2021, until the member completes the  
15 additional training.

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