By: Paxton, et al.   S.B. No. 702

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the continuation and functions of the Prepaid Higher

3 Education Tuition Board.

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

5   SECTION 1. Section 54.603, Education Code, is amended to

6 read as follows:

7   Sec. 54.603. SUNSET PROVISION.   The Prepaid Higher

8 Education Tuition Board is subject to Chapter 325, Government Code

9 (Texas Sunset Act). Unless continued in existence as provided by

10 that chapter, the board is abolished and the programs established

11 under this subchapter and under Subchapters G and H terminate

12 September 1, 2033 [2021].

13   SECTION 2. Section 54.610, Education Code, is amended by

14 amending Subsection (b) and adding Subsection (d) to read as

15 follows:

16   (b) The [A] training program must [established under this

17 section shall] provide the person with information [to the member]

18 regarding:

19   (1) the law governing [enabling legislation that

20 created the] board operations;

21   (2) the programs, functions, rules, and budget of

22 [operated by] the board;

23   (3) the scope of and limitations on the rulemaking

24 authority [role and functions] of the board;

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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.