

House Bill 4294
Senate Amendments
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SECTION 1. Subchapter B, Chapter 301, Government Code, is amended by adding Section 301.035 to read as follows:

Sec. 301.035. 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) Notwithstanding Chapter 551 or other law, if the joint chairs of the committee are physically present at a meeting of the committee located in Austin, then any number of the other members of the committee may attend and participate in the meeting remotely by use of telephone conference call, video conference call, or other similar means of telecommunication. A member of the committee who participates in a meeting remotely as provided by this subsection is considered present for purposes of determining whether a quorum is present, for purposes of voting, and for any other purpose that allows a member of the committee to otherwise fully participate in a meeting of the committee. This subsection applies:

(1) only if a disaster has been declared for the first time after the date of final adjournment of the most recent regular session of the legislature and is currently in effect in this state as the result of:

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

(B) a declaration or determination by a public officer,

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SECTION 1. Same as House version.

No equivalent provision.

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governing body, or authority under Chapter 418 of this code, Chapter 81, Health and Safety Code, or other law including the Texas Constitution; and

(2) regardless of the subject of the meeting or the topics considered by the members.

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

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

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

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

(4) must provide two-way audio communication between all members of the committee attending the meeting during the entire meeting; and

(5) if the two-way audio communication link with any member attending the meeting is disrupted at any time, may not continue until the two-way audio communication link is reestablished.

SECTION 3. Section 323.003, Government Code, is amended by adding Subsections (e) and (f) to read as follows:

(e) Notwithstanding Chapter 551 or other law, if the joint chairs of the council are physically present at a meeting of the council located in Austin, then any number of the other members of the council may attend and participate in the

No equivalent provision.

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meeting remotely by use of telephone conference call, video conference call, or other similar means of telecommunication. A member of the council who participates in a meeting remotely as provided by this subsection is considered present for purposes of determining whether a quorum is present, for purposes of voting, and for any other purpose that allows a member of the council to otherwise fully participate in a meeting of the council. This subsection applies:

(1) only if a disaster has been declared for the first time after the date of final adjournment of the most recent regular session of the legislature and is currently in effect in this state as the result of:

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

(B) a declaration or determination by a public officer, governing body, or authority under Chapter 418 of this code, Chapter 81, Health and Safety Code, or other law including the Texas Constitution; and

(2) regardless of the subject of the meeting or the topics considered by the members.

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

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

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

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

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(4) must provide two-way audio communication between all members of the council attending the meeting during the entire meeting; and

(5) if the two-way audio communication link with any member attending the meeting is disrupted at any time, may not continue until the two-way audio communication link is reestablished.

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

(e) Notwithstanding Chapter 551 or other law, if the joint chairs of the board are physically present at a meeting of the board located in Austin, then any number of the other members of the board may attend and participate in the meeting remotely by use of telephone conference call, video conference call, or other similar means of telecommunication. A member of the board who participates in a meeting remotely as provided by this subsection is considered present for purposes of determining whether a quorum is present, for purposes of voting, and for any other purpose that allows a member of the board to otherwise fully participate in a meeting of the board. This subsection applies:

(1) only if a disaster has been declared for the first time after the date of final adjournment of the most recent regular session of the legislature and is currently in effect in this state as the result of:

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

(B) a declaration or determination by a public officer, governing body, or authority under Chapter 418 of this code, Chapter 81, Health and Safety Code, or other law including

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the Texas Constitution; and

(2) regardless of the subject of the meeting or the topics considered by the members.

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

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

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

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

(4) must provide two-way audio communication between all members of the board attending the meeting during the entire meeting; and

(5) if the two-way audio communication link with any member attending the meeting is disrupted at any time, may not continue until the two-way audio communication link is reestablished.

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

(l) Notwithstanding Chapter 551 or other law, if the chairman and vice-chairman of the commission are physically present at a meeting of the commission located in Austin, then any number of the other members of the commission may attend and participate in the meeting remotely by use of telephone conference call, video conference call, or other similar means

No equivalent provision.

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of telecommunication. A member of the commission who participates in a meeting remotely as provided by this subsection is considered present for purposes of determining whether a quorum is present, for purposes of voting, and for any other purpose that allows a member of the commission to otherwise fully participate in a meeting of the commission.

This subsection applies:

(1) only if a disaster has been declared for the first time after the date of final adjournment of the most recent regular session of the legislature and is currently in effect in this state as the result of:

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

(B) a declaration or determination by a public officer, governing body, or authority under Chapter 418 of this code, Chapter 81, Health and Safety Code, or other law including the Texas Constitution; and

(2) regardless of the subject of the meeting or the topics considered by the members.

(m) A meeting held under Subsection (1) by use of telephone conference call, video conference call, or other similar means of telecommunication:

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

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

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

(4) must provide two-way audio communication between all

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members of the commission attending the meeting during the entire meeting; and

(5) if the two-way audio communication link with any member attending the meeting is disrupted at any time, may not continue until the two-way audio communication link is reestablished.

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

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

(1) means:

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

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

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

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

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

(F) ~~[(6)]~~ the Legislative Reference Library;

(G) ~~[(7)]~~ the office of the State Auditor; or

(H) ~~[(8)]~~ any other agency in the legislative branch of state government; and

(2) does not include the Texas Ethics Commission.

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

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

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SECTION 2. Same as House version.

SECTION 3. Same as House version.

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SECTION 8. Chapter 762, Government Code, is transferred to Subtitle C, Title 3, Government Code, redesignated as Chapter 329, Government Code, and amended to read as follows:

CHAPTER 329 [762]. COMMISSION ON UNIFORM STATE LAWS

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

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

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

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

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

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

(b) The commission may supplement the report.

Sec. 329.003 [762.003]. COMPOSITION OF COMMISSION; TERMS. (a) The commission is composed of:

(1) nine members appointed by the governor;

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

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

(4) the chair of the standing committee of the senate with

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primary jurisdiction over uniform state laws;

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

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

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

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

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

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

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

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

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

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

Sec. 329.004 [762.004]. ELIGIBILITY [FOR APPOINTMENT]; LOBBYIST RESTRICTION. (a) To be eligible for appointment to or service on the commission, a

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person must be an attorney licensed to practice law.

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

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

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

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

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

(2) attend national conference meetings.

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

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

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

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

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

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

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

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

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

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

Sec. ~~329.008~~ [762.009]. MEETING AND ELECTION OF OFFICERS. (a) The commission shall meet at least once every two years.

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

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

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

SECTION 9. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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SECTION 5. Same as House version.

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