By:  Harrison H.B. No. 5106

A BILL TO BE ENTITLED

AN ACT

relating to training requirements for certain municipal, county, and school district elected officers.

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

SECTION 1.  Chapter 180, Local Government Code, is amended by adding Section 180.010 to read as follows:

Sec. 180.010.  ELECTED OFFICER TRAINING REQUIREMENTS. Notwithstanding any other law, a member of the governing body of a municipality or school board or an elected county officer is not required to attend or complete any continuing education training.

SECTION 2.  Section 551.005, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  Except as provided by Subsection (a-1), each [~~Each~~] elected or appointed public official who is a member of a governmental body subject to this chapter shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and its members under this chapter not later than the 90th day after the date the member:

(1)  takes the oath of office, if the member is required to take an oath of office to assume the person's duties as a member of the governmental body; or

(2)  otherwise assumes responsibilities as a member of the governmental body, if the member is not required to take an oath of office to assume the person's duties as a member of the governmental body.

(a-1)  This section does not apply to an elected public official who is a member of a governmental body described by Section 551.001(3)(B), (C), (E), (F), or (G).

SECTION 3.  Section 552.012, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  Except as provided by Subsection (a-1), this [~~This~~] section applies to an elected or appointed public official who is:

(1)  a member of a multimember governmental body;

(2)  the governing officer of a governmental body that is headed by a single officer rather than by a multimember governing body; or

(3)  the officer for public information of a governmental body, without regard to whether the officer is elected or appointed to a specific term.

(a-1)  This section does not apply to an elected public official who is a member of a governmental body described by Section 552.003(1)(A)(ii), (iii), (v), (vi), or (vii).

SECTION 4.  Section 11.159(d), Texas Education Code, is amended to read as follows:

(d)  A trustee or candidate for trustee may complete training required under Subsection (c) at a regional education service center that is provided by the Texas Education Agency [~~or through another authorized provider. A provider must certify the completion of the training by a trustee or candidate~~].

SECTION 5.  Section 418.005(d)-(e), Texas Government Code, is amended to read as follows:

(d)  The division may provide the training and may also approve any acceptable course of training provided [~~offered~~] by a governmental body [~~or other entity~~]. The division shall ensure that at least one course of training approved or provided by the division is available on videotape or a functionally similar and widely available medium at no cost.

(e)  The division [~~or other entity providing the training~~] shall provide a certificate of course completion to a person who completes the training required by this section. A person who completes the training required by this section shall maintain and make available for public inspection the record of the person's completion of the training.

SECTION 6.  Section 6.231(c), Tax Code, is amended read as follows:

(c)  Continuing education required by this section must be approved and provided by the comptroller [~~a state agency~~] or an accredited institution of higher education, including an institution that is a part of or associated with an accredited institution of higher education, such as the V. G. Young Institute of County Government.

SECTION 7.  The following provisions of the Local Government Code are repealed:

(1)  Section 81.0025; and

(2)  Section 83.003.

SECTION 8.  The following provisions of the Texas Education Code are repealed:

(1)  Section 11.159(c-1).

SECTION 9.  As soon as practicable after the effective date of this Act, the State Board of Education shall repeal all rules that are inconsistent with the changes in law made by this Act.

SECTION 10.  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, 2023.