

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

1 the governmental body, if the member is not required to take an oath
2 of office to assume the person's duties as a member of the
3 governmental body.

4 (a-1) This section does not apply to an elected public
5 official who is a member of a governmental body described by Section
6 551.001(3)(B), (C), (E), (F), or (G).

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

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

- 12 (1) a member of a multimember governmental body;
- 13 (2) the governing officer of a governmental body that
14 is headed by a single officer rather than by a multimember governing
15 body; or
- 16 (3) the officer for public information of a
17 governmental body, without regard to whether the officer is elected
18 or appointed to a specific term.

19 (a-1) This section does not apply to an elected public
20 official who is a member of a governmental body described by Section
21 552.003(1)(A)(ii), (iii), (v), (vi), or (vii).

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

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

1 ~~completion of the training by a trustee or candidate].~~

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

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

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

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

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

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

26 (1) Section 81.0025; and

27 (2) Section 83.003.

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

3 (1) Section [11.159\(c-1\)](#).

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

7 SECTION 10. This Act takes effect immediately if it
8 receives a vote of two-thirds of all the members elected to each
9 house, as provided by Section [39](#), Article III, Texas Constitution.
10 If this Act does not receive the vote necessary for immediate
11 effect, this Act takes effect September 1, 2023.