

BILL ANALYSIS

S.B. 413
By: Middleton
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that although school board officials are elected public servants, constituents lack the ability to track the voting record of their school board members the way they are able to for their state representatives, and in some districts, requesting the votes of a school board member requires an individual to file a public information request, which is a burdensome process that often takes some time to receive a response. The bill sponsor has also informed the committee that minutes of school board meetings are not required to show votes and are often made available months after the meeting and voting have taken place, or not at all if a school board instead posts a recording of the proceedings, in which case it is often difficult to discern how the members voted and requires watching multiple hearings to find a specific action item without minutes to outline the proceedings. S.B. 413 seeks to increase school board transparency by requiring the vote of each member to be added to a school board's meeting minutes and establishing related posting requirements.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 413 amends the Education Code to revise provisions relating to a regular or special meeting of the board of trustees of an independent school district as follows:

- removes the option for the certified agenda or recording of a meeting of the board to reflect each member's attendance at or absence from the meeting as an alternative to the minutes of the meeting reflecting that information;
- includes each member's vote on any item that is voted on by the board at the meeting among the information that those minutes must reflect;
- requires the board to post the meeting minutes on the district's website not later than the seventh day after the date of a meeting at which a quorum of the board is present and voting;
- requires the board to post on the district's website any resolution adopted by the board not later than the seventh day after the date of the meeting at which the resolution was adopted;
- requires the board to make a recording of each regular or special meeting of the board; and
- removes the option for a tape recording of an open meeting to be publicly accessible in accordance with applicable state open meetings law as an alternative to the minutes being

made accessible in that manner and instead requires both the minutes and recording to be accessible to the public in accordance with such law.

EFFECTIVE DATE

September 1, 2025.