

## **BILL ANALYSIS**

Senate Research Center  
80R9193 SLO-D

H.B. 189  
By: Hochberg, et al. (Janek)  
Education  
4/21/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Some school district superintendents around the state earn extra income by performing personal services for companies that conduct business with their respective school districts. This has the potential to create a conflict of interest or the appearance of a conflict of interest. In addition, some superintendents receive a financial benefit for performing personal services for other entities. While these arrangements may not create potential conflicts of interest, they are of legitimate interest to the taxpayers of the district.

H.B. 189 prohibits a school district superintendent from receiving any financial benefit for personal services performed for any business entity conducting or soliciting business with the district. The bill also requires an arrangement between a superintendent and certain other entities to be approved on a case-by-case basis in an open meeting of the school board.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 11.201, Education Code, by adding Subsection (e), to prohibit the superintendent of a school district from receiving any financial benefit for personal services performed by the superintendent for any business entity that conducts or solicits business with the district. Requires any financial benefit received by the superintendent for performing personal services for any other entity, including a school district, open-enrollment charter school, regional education service center, or public or private institution of higher education, to be approved by the board of trustees on a case-by-case basis in an open meeting. Provides that for purposes of this subsection, the receipt of reimbursement for a reasonable expense is not considered a financial benefit.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.