

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3827
By: Morrison (Zaffirini)
State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, governing boards for Texas institutions of higher education, as well as the board for lease of university lands, are authorized to meet by telephone conference call. However, governing boards of junior college districts do not have the same authority.

C.S.H.B. 3827 authorizes the governing board of a junior college district to meet by telephone conference call.

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 Subchapter F, Chapter 551, Government Code, by adding Section 551.122, as follows:

Sec. 551.122. GOVERNING BOARD OF JUNIOR COLLEGE DISTRICT: QUORUM PRESENT AT ONE LOCATION. (a) Provides that this chapter (Open Meetings) does not prohibit the governing board of a junior college district from holding an open or closed meeting by telephone conference call.

(b) Authorizes a meeting held by telephone conference call authorized by this section to be held only if a quorum of the governing board is physically present at the location where meetings of the board are usually held.

(c) Provides that the telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(d) Requires each part of the telephone conference call meeting that is required to be open to the public to be audible to the public at the location where the quorum is present and to be tape-recorded. Requires the tape recording to be made available to the public.

(e) Requires the location of the meeting to provide two-way communication during the entire telephone conference call meeting and requires the identification of each party to the conference to be clearly stated before the party speaks.

(f) Provides that the authority provided by this section is in addition to the authority provided by Section 551.121.

(g) Provides that a member of governing board of a junior college district who participates in a board meeting by telephone conference call but is not physically present at the location of the meeting is considered to be absent from the meeting for purpose of Section 130.0845 (Removal of Trustee for Nonattendance of Board Meeting), Education Code.

SECTION 2. Amends the heading to Section 551.121, Government Code, to read as follows:

Sec. 551.121. GOVERNING BOARD OF INSTITUTION OF HIGHER EDUCATION;
BOARD FOR LEASE OF UNIVERSITY LANDS: SPECIAL MEETING FOR
IMMEDIATE ACTION.

SECTION 3. Amends Section 551.121(c), Government Code, to authorize a telephone conference call authorized by this section to be held only under certain circumstances.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2007.