

BILL ANALYSIS

Senate Research Center
82R21431 RWG-F

S.B. 1904
By: Wentworth
Open Government
4/19/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, private and independent institutions of higher education that have contracts with the Texas Higher Education Coordinating Board (THECB) pursuant to Subchapter D (Contracts With Baylor College of Medicine and Baylor University College of Dentistry), Chapter 61 (Texas Higher Education Coordinating Board), Education Code, are not defined as governmental bodies subject to the Texas open meetings and public information laws. This legislation is necessary to place these institutions on equal footing with, and bring them into alignment with, the transparency requirements imposed upon public institutions of higher education.

S.B. 1904 amends the definition of "governmental body" under Sections 551.001 (Definitions), and 552.003 (Definitions), Government Code, to include private and independent institutions that have contracts with THECB pursuant to Subchapter D, Chapter 61, Education Code. Private and independent institutions that do not have such contracts are not included in the definition.

As proposed, S.B. 1904 amends current law relating to the definition of a governmental body for the purposes of the open meetings and public information laws.

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 551.001(3), Government Code, to redefine "governmental body" to include a private or independent institution of higher education, as defined by Section 61.003 (Definitions), Education Code, that has contracted with the Texas Higher Education Coordinating Board (THECB), under Subchapter D (Contracts With Baylor College of Medicine and Baylor University College of Dentistry), Chapter 61 (Texas Higher Education Coordinating Board), Education Code.

SECTION 2. Amends Section 552.003(1), Government Code, to redefine "governmental body" to include a private or independent institution of higher education, as defined by Section 61.003, Education Code, that has contracted with THECB under Subchapter D, Chapter 61, Education Code.

SECTION 3. Effective date: upon passage or September 1, 2011.