

BILL ANALYSIS

Senate Research Center
84R699 KSD-F

S.B. 42
By: Zaffirini
Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this legislation is to make clearer that, in appointing a student regent to a university system or non-component institution board of regents, the governor may appoint only a student who has applied to the chancellor of the university system or the president of the institution, as applicable, using the uniform application form developed by the chancellor or president for that purpose.

Section 51.355, Education Code, provides that "the chancellor of each university system shall develop a uniform application form to be used...to solicit applicants for the position of student regent." The student government of each institution in the system solicits and receives applications using that form and recommends five applicants to the chancellor. The statute provides that, "from among those applicants," the chancellor "shall select two or more" to recommend to the governor.

Despite the clarity of the existing statutory language, there have been scattered reports of student regents being appointed after applying not to their student governments, as apparently required by statute, but directly to the governor. What's more, some persons have misconstrued the law not to prohibit such direct applications to the governor. The legislation herein proposed would amend the statute to make clearer that submission of the uniform application to the student government is a requirement for eligibility to serve as a student regent.

As proposed, S.B. 42 amends current law relating to the selection process for student members of the board of regents of a state university or state university system.

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 51.355(c), Education Code, to prohibit the governor from appointing a student regent who did not submit an application to the student government of a general academic teaching institution or medical and dental unit in the system as described by this subsection.

SECTION 2. Amends Section 51.356(d), Education Code, to prohibit the governor from appointing a student regent who did not submit an application to the student government of the institution as described by this subsection.

SECTION 3. Provides that Sections 51.355(c) and 51.356(d), Education Code, as amended by this act, are intended only to clarify existing law with respect to the appointment of student members of the board of regents of a state university or state university system.

SECTION 4. Effective date: upon passage or September 1, 2015.