SECTION 1. Section 130.008, Education Code, is amended by adding Subsections (d) and (d-1) to read as follows:

(d) Except as provided by Subsection (d-1), a public junior college may enter into an agreement with a school district, organization, or other person that operates a high school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district.

(d-1) A public junior college may enter into an agreement described by Subsection (d) with respect to a high school located within the service area of another junior college district only if the other junior college district is unable to provide the requested course to the satisfaction of the school district.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on April 28, 2009: Yeas 148, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 2480 on May 23, 2009: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 20, 2009: Yeas 29, Nays 0.

Approved June 19, 2009.


CHAPTER 454

H.B. No. 2529

AN ACT

relating to the terms of office of commissioners of certain emergency services districts.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 775.0345(b), (h), and (i), Health and Safety Code, are amended to read as follows:

(b) The governing body of a district consists of a five-person board of emergency services commissioners elected as prescribed by this section. Except as provided by Subsection (h), emergency services commissioners serve four-year [two-year] terms.

(h) The initial emergency services commissioners' terms of office begin 30 days after canvassing of the election results. The two commissioners who received the fewest votes serve a term that expires on December 31 of the second year following the year in which the election was held. The other emergency services commissioners serve terms that expire on December 31 of the fourth year following the year in which the election was held.

(i) The board shall hold the general election for commissioner every two years [annually] on an authorized uniform election date as provided by Chapter 41, Election Code. The board may change the election date from one authorized election date to another authorized election date and shall adjust the terms of office to conform to the new election date.

SECTION 2. Sections 775.035(a), (g), and (h), Health and Safety Code, are amended to read as follows:

(a) The governing body of a district located in more than one county consists of a five-person board of emergency services commissioners elected as prescribed by this section. Except as provided by Subsection (g), emergency services commissioners serve four-year [two-year] terms.

(g) The initial emergency services commissioners' terms of office begin 30 days after canvassing of the election results. The two commissioners who received the fewest votes serve a term that expires on December 31 of the second year following the year in which the
The other emergency services commissioners serve terms that expire on December 31 of the fourth year following the year in which the election was held. The general election for commissioner shall be held every two years [annually] on an authorized uniform election date as provided by Chapter 41, Election Code. The board may change the election date from one authorized election date to another authorized election date and shall adjust the terms of office to conform to the new election date.

SECTION 3. (a) The changes in law made by this Act do not affect the entitlement of a person who is a commissioner serving on an emergency services board immediately before the effective date of this Act to continue to carry out the board’s functions for the remainder of the commissioner’s term.

(b) This Act does not prohibit a person who is serving as a commissioner on or after the effective date of this Act from:

(1) running for election to the board if the person has qualifications required for a board member under Section 775.0345 or 775.035, Health and Safety Code, as amended by this Act; or

(2) continuing to serve until the election and qualification of a new commissioner for that commissioner’s position.

(c) Sections 775.0345 and 775.035, Health and Safety Code, as amended by this Act, govern all elections held after December 31, 2009. An emergency services commissioner elected at any election held between July 1, 2007, and December 31, 2007, shall serve until the November 2009 election. Commissioners elected at any election between January 1, 2008, and June 30, 2008, shall serve until the May 2010 election. Commissioners elected at any election held between July 1, 2008, and December 31, 2008, shall serve until the November 2010 election. Commissioners elected at any election held between January 1, 2009, and June 30, 2009, shall serve until the May 2012 election. Commissioners elected between July 1, 2009, and December 31, 2009, shall serve until the November 2012 election.

SECTION 4. This Act takes effect January 1, 2010, but only if the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, to allow the legislature to provide for members of a governing board of an emergency services district to serve terms not to exceed four years is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.

Passed by the House on April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective January 1, 2010, upon approval of constitutional amendment proposed in H.J.R. 85.

CHAPTER 455

H.B. No. 2542

AN ACT

relating to excused absences in public schools for students visiting institutions of higher education.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 25.087, Education Code, is amended by adding Subsection (b–2) to read as follows:

(b–2) A school district may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student’s junior and senior years of high school for the purpose of determining the student’s interest in attending the institution of higher education, provided that:

(1) the district may not excuse for this purpose more than two days during the student’s junior year and two days during the student’s senior year; and