

## **BILL ANALYSIS**

Senate Research Center

H.J.R. 29  
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Engrossed

### **DIGEST**

Currently, Article XVI, Section 30a, Texas Constitution, allows members of the board of regents of the state university and boards of trustees or managers of certain institutions of the state to hold office for terms of six years. The constitution does not specify the number of members required or allowed on the boards. However, the constitution does require that one-third of the board members be elected or appointed every two years. Section 30a has been interpreted as requiring the number of the board members to be divisible by three to ensure that one-third of the members are elected or appointed every two years. This creates a problem when the legislature wants to increase the number of board members, because it must do so in increments of three.

H.J.R. 29 simplifies Section 30a by allowing an odd number of three or more members to serve on the boards and by providing that approximately one-third of the boards' members must be elected every two years.

### **PURPOSE**

As proposed, H.J.R. 29 requires the submission to the voters of a constitutional amendment authorizing the legislature to provide that specific state boards, commissions, or other agencies are to be governed by a board composed of an odd number of three or more members.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 30a, Article XVI, Texas Constitution, to authorize certain state boards, commissions, or other agencies to be governed by a board composed of an odd number of three or more members. Makes nonsubstantive changes.

SECTION 2. Adds a temporary provision to the Texas Constitution, as follows:

TEMPORARY PROVISION. (a) Provides that a governing body of a state agency may be composed of an odd number of three or more members. Expiration date: September 1, 2003.  
(b) Authorizes the legislature to provide by law for the change in composition of the governing body of a state agency that is composed in accordance with Section 30a, Article XVI, Texas Constitution, but that is not composed in accordance with the amendment to that section. Requires the laws enacted by the legislature under this subsection to provide that the change in composition into a form allowed under this constitution will take place not later than September 1, 2003.

(c) Authorizes a governing body of a state agency that is composed in accordance with Section 30a, Article XVI, Texas Constitution, but that is not composed in accordance with the amendment to that section to continue to act as the governing body until a quorum of the members of the governing body who take office under a law adopted under Subsection (b) of this section have qualified.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held on November 2, 1999. Sets forth the required language for the ballot.