

SUBJECT: Meetings of certain legislative agencies, oversight committees if disaster

COMMITTEE: House Administration — committee substitute recommended

VOTE: 6 ayes — Metcalf, Burns, Klick, E. Morales, Sanford, Walle

0 nays

5 absent — Cole, Anchia, Landgraf, Oliverson, Zwiener

WITNESSES: For — (*Registered, but did not testify*: Thomas Parkinson)

Against — None

DIGEST: CSHB 4294 would establish provisions for certain legislative and oversight committees to meet if there was a disaster declaration, to determine who would pay per diem and travel expenses for members of statutory joint committees, and to expand the Commission on Uniform State Laws.

Meetings. The bill would establish provisions for the legislative audit committee, Texas Legislative Council, legislative library board, and the Sunset Advisory Commission to meet if a disaster had been declared for the first time after the final adjournment of the most recent regular legislative session and certain conditions were met.

The provisions would go into effect only if a disaster had been declared by:

- a declaration by the U.S. president under federal law; or
- a declaration or determination by a public officer, governing body, or authority under Government Code ch. 418, Health and Safety Code ch. 81, or other law.

The provision would go into effect regardless of the subject of the meeting or the topics considered by the members.

If the joint chairs of the committee, council, or board or the chairman and vice-chairman of the commission, as applicable, were physically present at a meeting of the committee, council, board, or commission in Austin, then any number of the other members of the body could attend the meeting remotely by phone, video conference call, or other similar means of telecommunication.

A member of the body who participated in a meeting remotely would be considered present for determining a quorum, voting, and any other purpose. Meetings held under these provisions:

- would be subject to the notice requirements applicable to other meetings of the body;
- would have to specify in the meeting notice the Austin location at which the joint chairs would be physically present;
- would have to be open to the public and audible to the public at the Austin location;
- would have to provide two-way audio communication between all members of the body attending the meeting during the entire meeting; and
- if the two-way audio communication with any member was disrupted, could not continue until the two-way communication link was reestablished.

Per diem, travel for joint interim committee. The bill would establish that per diem and travel expenses paid to a member of a joint committee established by statute would have to be paid by the house to which the member belonged. Per diem and travel expenses for a public member of a committee would have to be paid by the office of the appointing entity.

Commission on Uniform State Laws. The bill would transfer Government Code provisions on the Commission on Uniform State Laws from Title 7 of the Government Code, which governs intergovernmental relations, to Title 3, Subtitle C of the Government Code, which governs legislative agencies and oversight committees.

The bill would expand the commission, which is charged with promoting uniformity in state laws in subject areas in which uniformity is desirable and practicable. The commission currently consists of nine members appointed by the governor, the executive director of the Texas Legislative Council or a person designated by the executive director, and residents of the state who have long service in the cause of uniformity in state legislation. The commission would be expanded to include:

- two members appointed by the lieutenant governor who were members or officers of the Senate;
- two members appointed by the House speaker who were members or officers of the House of Representatives;
- the chair of the standing committee of the Senate with primary jurisdiction over uniform state laws; and
- the chair of the standing committee of the House of Representatives with primary jurisdiction over uniform state laws.

Members added by the bill would have to be licensed attorneys.

Other provisions. The bill would authorize the Texas Legislative Council to transfer money to another legislative agency to cover expenses of the other agency that the council's executive director determined was necessary to further a purpose of the council.

The definition of legislative agency that is used to authorize cooperation between agencies would not include the Texas Ethics Commission.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.