

BILL ANALYSIS

Senate Research Center
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S.B. 111
By: Barrientos
Subcommittee on Higher Education
3/24/2003
As Filed

DIGEST AND PURPOSE

Current law does not provide for the appointment of a student to the board of regents of The University of Texas System. As proposed, S.B. 111 requires the governor to appoint a student to the board of regents, and sets forth the procedure to be followed in selecting candidates for the position, including the qualifications that a candidate must possess.

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 65.11, Education Code, as follows:

Section 65.11. BOARD OF REGENTS. (a) Creates this subsection from existing text.

(b) Requires the governor to appoint one of the regents of The University of Texas System as provided by Section 65.111.

(c) Creates this subsection from existing text.

SECTION 2. Amends Chapter 65B, Education Code, by adding Section 65.111, as follows:

Section 65.111. STUDENT REGENT. (a) Defines “ general academic teaching institution” and “student government.”

(b) Requires the chancellor of The University of Texas System to develop a uniform application form to be used by each general academic teaching institution to solicit applicants for the position of student regent. Requires the chancellor to consult with The University of Texas Student Advisory Council (council) before adopting or amending the form.

(c) Requires the student government of each general academic teaching institution, by October 1 preceding the date on which the term of a student regent expires, to solicit applicants for the position of student regent, except as provided by Subsection (f). Requires the student government to remove from each application the name of the applicant and the name of the general academic teaching institution attended by the applicant and to send each application to the council. Requires the council, from among the applications received, to select five applicants as the council’s recommendations for the position of student regent and send the applications of those applicants to the chancellor of the system. Requires the chancellor to select two or more applicants from among the applications as the system’s recommendations for the position of student regent and to send the applications of those applicants to the governor. Authorizes the governor to request to review all applications for the position of student regent received by the council and to review information required to be removed from an application. Requires the governor with the advice and consent of the senate to

appoint one of the applicants to serve as student regent for the next term of that office. Provides that the governor is not required to appoint an applicant recommended by the chancellor.

(d) Requires a student regent to be enrolled as an undergraduate or graduate student in a general academic teaching institution in the system at the time of appointment. Provides that a person is considered to be enrolled in an institution for summer term if the person was enrolled in the institution for the preceding semester and meets certain requirements.

(e) Provides that the student regent has the same powers and duties, including voting privileges, as the other board members.

(f) Prohibits the student government of the general academic teaching institution at which the current student regent was enrolled at the time of the regent's appointment from soliciting applicants for the position of student regent for the next regular term of office.

(g) Requires a vacancy in the position of student regent to be filled for the unexpired term as provided by Subsection (c).

(h) Requires the vacancy to be filled by a student regent as provided by Subsection (c) as soon as practicable, if a vacancy in the board of regents occurs before February 1, 2005. Provides that, notwithstanding Section 65.12 (c), the term of a student regent appointed to fill a vacancy under this subsection expires February 1, 2005. Requires any remainder of the term to be filled by the governor as provided by Section 65.11 (a), on the expiration of the term of the appointed student regent. Provides that this subsection expires January 1, 2006.

SECTION 3. Amends Section 65.12, Education Code, as follows:

Section 65.12. QUALIFICATIONS; TERMS. (a) Requires a regent, rather than each member of the board, to be a qualified voter. Makes a nonsubstantive change.

(b) Requires the regents to be selected from different geographic regions of the state rather than the members being selected from different portions of the state.

(c) Provides that the regents appointed under Section 65.11 (a) hold office for staggered terms of six years with the terms of two or three regents, as applicable, expiring February 1 of each odd-numbered years. Makes a confirming change.

(d) Provides that a student regent appointed under Section 65.111 holds office for a term of three years, with the term of the initial student regent expiring February 1, 2008.

SECTION 4. (a) Effective date: October 1, 2003.

(b) Requires the appropriate student governments, the chancellor of The University of Texas System, and the governor to take the actions required by Section 65.111, Education Code, as added by this Act, as soon as practicable after this Act takes effect to select a student regent to serve on the board of regents of The University of Texas System for a term expiring February 1, 2008.

(c) Provides that this Act does not affect the term of a member of the board of regents of The University of Texas System serving on the effective date of this Act.