

## **BILL ANALYSIS**

Senate Research Center  
79R638 JSA-D

S.B. 549  
By: Ellis  
Education  
4/9/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The purpose of this legislation is to require the disclosure of information relating to the investment of the permanent university fund and other funds under the management and control of the board of regents of The University of Texas System.

As proposed, S.B. 549 clarifies the disclosure of the investment records held by the University of Texas Investment Management Company and requires the continued disclosure of investment information by entities with whom the board of regents contracts to follow certain guidelines.

S.B. 549 attempts to balance the public's right to know how public funds are being invested with the interests of private businesses.

### **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 66.08, Education Code, by adding Subsections (p), (q), and (r), as follows:

(p) Provides that certain information regarding each investment of the permanent university fund or any other fund under the management and control of the board of regents of The University of Texas System (board) made by the board, the corporation, or any other entity to which the board delegates its investment authority is public information subject to disclosure under Chapter 552 (Public Information), Government Code.

(q) Requires the board, the corporation, or any other entity to which the board delegates its authority under this section for the investment of the permanent university fund or any other fund under the management and control of the board, to require any person with whom the board, corporation, or other investing entity enters into any agreement for investment of a portion of those funds to disclose to the board any information under Subsection (p). Requires an investment contract entered into on or after January 1, 2006, to include a provision requiring the person to disclose the information on request of the board.

(r) Provides that Subsection (p) does not require the disclosure of certain information.

SECTION 2. Effective date: upon passage or September 1, 2005.