

BILL ANALYSIS

H.B. 2664
By: Martinez
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that trustees of certain independent school districts serve three-year terms and are chosen in elections that are not held annually, which is in violation of state law requiring districts with trustees who serve for three years to hold annual elections. While many districts have attempted to shift to annual elections to satisfy this requirement, some of the districts are located in municipalities whose elections are not held annually. Since the school district and municipality cannot hold joint elections, this places an additional burden on the district, leaving it in violation of certain requirements regarding joint elections for school districts and municipalities. H.B. 2664 seeks to remedy this situation by authorizing independent school districts to revise the terms and date of the general election of their trustees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2664 amends the Election Code to authorize the governing body of an independent school district, not later than December 31, 2026, to change the date on which it holds its general election for officers to the November uniform election date if the district does not already hold that election on that date. This provision expires January 1, 2027.

H.B. 2664 amends the Education Code to authorize the board of trustees of an independent school district, not later than December 31, 2026, to adopt a resolution changing the length of the terms of its trustees. The bill requires the resolution to provide for staggered terms of three or four years and for the transition from the former term to the modified term. The transition must begin with the first regular election for trustees that occurs after the board adopts the resolution, and a trustee who serves on the date the resolution is adopted will serve the remainder of that term. These provisions expire January 1, 2032.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.