

SUBJECT: Recalling board members of junior college districts

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 7 ayes — Rangel, Solis, Cuellar, Dunnam, Kamel, Rabuck, E. Reyna
0 nays
2 absent— Bailey, Rodriguez

WITNESSES: None

BACKGROUND : The board of trustees of junior college districts may be divested of authority by voters in a special election. The law allows the entire board to be recalled but not a single individual member.

DIGEST: HB 2050 would allow voters to recall individuals members of boards of trustees of junior college districts.

The bill would establish specific requirements for recall petitions. Petitions would have to contain signatures representing at least 10 percent of the total number of votes received by all candidates for the position of the challenged trustee in the most recent election, not including a runoff.

A recall petition could not be filed within 90 days after the beginning date of the member's term; within 10 days after the date of a recall election that failed to recall the member; or within 90 days before the date the member's term expires.

Recall petitions would be filed with the clerk or the secretary of the board of trustees of the junior college district, who would determine the petition's validity. The review would have to be completed as soon as practicable after the filing. If the reviewing authority determined the petition was invalid or missed the filing deadline, the authority would return it to a proponent of the recall along with written reasons for its rejection. A rejected petition could be refiled.

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If the reviewing authority determined that the petition was valid, the authority would order a recall election to be held between 30 and 40 days.

Except as otherwise provided by HB 2050, a recall election would be conducted and the results canvassed, tabulated, and reported in accordance with procedures governing the regular election of a member of the board of trustees. If a majority of the voters approved the recall, the member would be removed from office on the date the final canvass would be completed. A vacancy resulting from a recall election would be filled as any vacant position on the board of trustees. Recalled trustees, or trustees resigning during the circulation of a recall petition, could not be appointed to fill vacancies during the term in which they were recalled.

HB 2050 would take effect September 1, 1997.

**SUPPORTERS
SAY:**

HB 2050 would add needed accountability to the administration of higher education in Texas. Other jurisdictions already enjoy such authority. When city council members are guilty of misconduct, municipal electors have the opportunity to remove them from office in a special election. There is no recourse for dealing with individual trustees of junior college districts that have committed the same kinds of violations. HB 2050 would remedy this situation, and improve the quality of the service provided by junior college trustees.

**OPPONENTS
SAY:**

No apparent opposition.