

SUBJECT: Plurality elections for junior college district board members

COMMITTEE: Elections — committee substitute recommended

VOTE: 6 ayes — Danburg, Averitt, Denny, Hodge, Madden, Uher

0 nays

3 absent — J. Jones, Gallego, Greenberg

WITNESSES: None

DIGEST: CSHB 477 would allow the governing board of a junior college district to provide for election of its members by plurality vote without a runoff election. The bill would take effect September 1, 1999.

SUPPORTERS SAY: CSHB 477 is a permissive bill that would give junior college districts the option of electing governing board members by a plurality of the vote, without requiring a runoff election to be held. This is similar to what many school districts do. The bill would leave in place the procedure for a majority election, including a runoff election, for districts that prefer that option.

The cost of education is rising every day. CSHB 477 would allow junior college districts to save money on costly runoff elections. The money saved could be used toward the cost of educating students. CSHB 477 also would reduce the number of elections held in local communities. Voter participation has steadily decreased in recent years, partially because Texas asks its voters to go to the polls too often.

Most junior college districts do not have heavily contested races, but those that do typically have boards that are divided. To set a plurality election, the incumbent board members would have to agree to do so. Most divided boards would not be able to set a such a policy.

OPPONENTS SAY: CSHB 477 would allow candidates to become board members who do not represent a majority of the voters. In fact, a candidate with only a narrow but active following could be elected. For example, if five candidates ran for office, then a candidate only would have to garner 20 percent plus one vote to

be elected by a plurality. Potentially, a candidate who is supported by only slightly more than 20 percent of those voting, and opposed by nearly 80 percent, could still win a seat. The runoff election system would protect against this scenario.

CSHB 477 would favor incumbent board members. If the incumbent board has the power to determine what type of election is held, they could choose the kind of election they could most easily win. Plurality elections tend to favor people with name recognition, which incumbents typically have.

NOTES: The original bill would have eliminated the majority vote requirement and runoff elections for junior college districts.