

- SUBJECT:** Requiring joint elections for trustees of common school districts
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 7 ayes — Eissler, Farias, Jackson, Olivo, Patrick, Shelton, Weber
0 nays
4 absent — Hochberg, Allen, Aycock, Dutton
- WITNESSES:** For — Sara Leon, Crockett County Consolidated Common School District; (*Registered, but did not testify:* David Duty, Texas Association of Community Schools)

Against — None
- BACKGROUND:** In 2006, HB 1 by Chisum, enacted by 79th Legislature in its third called session, reduced school property taxes and revised public education. Other provisions in the bill required school board trustee elections to be held on the same date as the election for members of the governing body of a municipality located in the school district or the general election for city and county officers. The elections must be held as a joint election served by common polling places.
- DIGEST:** HB 3841 would require joint elections for an election of trustees of a common school district. The election would have to be on the same date as the election for the members of the governing body of a municipality located in the school district or the general election for state and county officers. Voters of a joint election would be served by common polling place.
- The board of trustees of a common school district changing an election to comply with the joint election requirement would have to adjust the terms of its members to conform to the new election date. The board would have until December 31, 2009, to change the election date and adjust the terms of office of the board of trustees.
- The joint election would have to comply with the provisions of the Election Code governing joint elections and common polling places.

The bill would take effect September 1, 2009.

**SUPPORTERS
SAY:**

HB 3841 would align the statutory requirement for joint elections for common school district trustees with independent school districts. There are a handful of common school districts — rural, countywide school districts located in remote areas — remaining in Texas. The bill would correct an oversight in the Education Code in which the reference to joint elections of school district trustees includes “independent” school districts but not “common” school districts.

To comply with joint election requirements, the Crockett County common school district moved its election date to correspond with the county’s. The move was pre-cleared by the U.S. Department of Justice under the federal Voting Rights Act, and an election was held in November 2008. However, the Secretary of State’s Office voiced concerns about the common school district’s ability to move election dates because they are not specifically referenced in the statute. The bill simply would clarify that common school districts have the explicit authority to hold joint elections. It would allow common school districts to align their election schedules as can other independent school districts.

**OPPONENTS
SAY:**

No apparent opposition.