

BILL ANALYSIS

Senate Research Center

S.B. 232
By: Carona
Education
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As Filed

DIGEST

Currently, Texas law does not authorize the board of trustees in certain independent school districts to require candidates to receive a majority of votes to be elected. Therefore, given variable voter turnout it is possible in an election with several candidates that a candidate will be elected who has less than majority support from the voters. S.B. 232 authorizes such boards of trustees to require that a only a majority winner be elected.

PURPOSE

As proposed, S.B. 232 authorizes the board of trustees in an independent school district in which the positions of trustees are designated by number or in which the trustees are elected from single-member districts to require a candidate to receive a majority of votes to be elected.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.057, Education Code, as follows:

Sec. 11.057. New heading: DETERMINATION OF RESULTS; OPTIONAL MAJORITY VOTE REQUIREMENT. Provides that except as provided by Subsection (c), in an independent school district in which the positions of trustees are designated by number or in which the trustees are elected from single-member trustee districts, the candidate receiving the highest number of votes for each respective position voted on is elected. Requires the candidates in such a district who receive the highest number of votes to fill the positions. Authorizes the board of trustees in such districts to provide by resolution, not later than the 120th day before the date of an election, that a candidate must receive a majority of the votes cast for a position. Provides that a resolution adopted under this subsection is effective until rescinded by a subsequent resolution adopted not later than the 120th day before the date of the first election to which the rescission applies.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.