

BILL ANALYSIS

Senate Research Center
76R11944 DRH-F

H.B. 3204
By: Danburg (Ellis)
Education
5/13/1999
Engrossed

DIGEST

Article 2774b, V.T.C.S. governs the election of members of the board of trustees (board) in an independent school district (district) with 140,000 or more students in a city with a population of 1,590,000 or more. Currently, this statute applies only to the Houston Independent School District. H.B. 3204 would authorize a district covered under this statute to count write-in votes and require the declaration of write-in candidates in accordance with Section 11.056, Education Code (Write-In Voting), or other laws applicable to districts. This bill also would modify Article 2774b, V.T.C.S., to require that a person's written notice of candidacy for the board of a district covered by the statute be accompanied by a filing fee or a petition signed by a prescribed number of qualified voters.

PURPOSE

As proposed, H.B. 3204 adds regulations regarding the election of members of the board of trustees of certain independent school districts.

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 3, Article 2774b, V.T.C.S. (Chapter 339, Special Laws, Acts of the 52nd Legislature, Regular Session, 1951), by adding Subsection (d), to authorize a school district to count write-in votes and require the declaration of write-in candidates in the manner provided by Section 11.056, Education Code (Write-in Voting).

SECTION 2. Amends Section 4, Article 2774b, V.T.C.S. (Chapter 339, Special Laws, Acts of the 52nd Legislature, Regular Session, 1951), to provide that a person who does not file a notice and request, accompanied by a filing fee or petition provided by Subsections (b) and (c) of this section, is not entitled to have the person's name printed on the ballot to be used at an election for a board of trustees for a school district. Requires the written notice under Subsection (a) to be accompanied by a filing fee for the greater of \$500 or the amount of the filing fee for a candidate for state representative under Section 172.024, Election Code (Filing Fee). Authorizes the fee to be paid only in cash or a cashier's check, certified check, or money order made payable to the district. Authorizes a candidate to submit with the written notice a petition signed by a number of registered voters equal to at least one-half of one percent of the total number of votes cast in the district in the most recent gubernatorial election, instead of the fee under Subsection (b).

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.