

BILL ANALYSIS

Senate Research Center
77R10108 BDH-D

H.B. 328
By: Gallego (Madla)
Education
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Engrossed

DIGEST AND PURPOSE

Currently, the board of trustees (board) of an independent school district (district), on its own motion, may order trustees of the district to be elected from single-member districts, or that a certain amount be elected from single-member districts, with the remainder being elected at-large. However, smaller districts can have difficulty finding individuals to fill seats in single-member districts. H.B. 328 authorizes a board, if a majority of the district is located in a county with a population of less than 10,000, to order that no fewer than 50 percent of trustees be elected from single-member districts, with the remainder of the trustees elected at-large.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.052, Education Code, as follows:

- (a) Provides an exception to this subsection.
- (b) Authorizes the board of trustees (board) of an independent school district (district), if a majority of the area of the district is located in a county with a population of less than 10,000, on its own motion to order that trustees of the district be elected from single-member trustee districts or that not fewer than 50 percent of the members of the board be elected from single-member trustee districts with the remaining trustees to be elected from the district at large.
- (c) Makes conforming changes.
- (d) Makes a conforming change.
- (e) Sets forth certain requirements of the board if a certain number of registered voters of the school district sign and present to the board a petition requesting submission to the voters of the proposition that trustees of the district be elected in a specific manner, which must be generally described on the petition and which be a manner of election that the board could have ordered on its own motion under Subsection (a) or (b).
Deletes existing text relating to single member districts.
- (f) Makes a conforming change.
- (g) Provides an exception to this subsection. Provides that a candidate seeking to represent or a trustee representing a single-member trustee district described by Subsection (b), notwithstanding any other provision of this subsection, is not required at any time to be a resident of the trustee district. Requires the candidate or trustee to be

a resident of the independent school district. Makes conforming changes.

(h) Makes a conforming change.

(i) Makes a conforming change.

SECTION 2. Amends Section 11.053, Education Code, as follows:

Sec. 11.053. New heading: **OPTION TO CONTINUE IN OFFICE FOLLOWING ADOPTION OF SINGLE-MEMBER PLAN OR REDISTRICTING.** Authorizes a board that adopts a redistricting plan under Section 11.052 to provide for the trustees in office when the plan is adopted or the school district is redistricted to serve for the remainder of their terms in accordance with this section. Deletes existing text relating to single member districts. Requires the trustee district and any at-large positions provided by the district's plan to be filled as the staggered terms of trustees then in office expire. Requires the board, not later than the 90th day before the date of the first election from trustee districts and after each redistricting, to determine the order in which the positions will be filled. Deletes existing text relating to serving for the remainder of a term.

SECTION 3. Effective date: upon passage or September 1, 2001.