

By: Madden

H.B. No. 9

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the terms of office of members of the boards of trustees
3 of independent school districts and to the dates on which elections
4 for those offices are held.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 11.059, Education Code, is amended to
7 read as follows:

8 Sec. 11.059. TERMS. (a) A trustee of an independent school
9 district serves a term of [~~three or~~] four years.

10 (b) [~~Elections for trustees with three-year terms shall be~~
11 ~~held annually. The terms of one-third of the trustees, or as near~~
12 ~~to one-third as possible, expire each year.~~

13 [~~(c)~~] Elections for trustees [~~with four-year terms~~] shall
14 be held on the uniform election date in November of each
15 even-numbered year [~~biennially~~]. The terms of one-half of the
16 trustees, or as near to one-half as possible, expire every two
17 years.

18 (c) [~~(d)~~] A board policy must state the schedule on which
19 specific terms expire.

20 SECTION 2. Section 41.001(d), Election Code, is amended to
21 read as follows:

22 (d) A general election of officers of a city, school
23 district, junior college district, or hospital district may not be
24 held on the February or September uniform election date. A general

1 election of officers of an independent school district may not be
2 held on the February, May, or September uniform election date.

3 SECTION 3. (a) This Act applies beginning with a school
4 district trustee election scheduled for 2005.

5 (b) Except as provided by Subsection (c) of this section, a
6 school district trustee election that on the effective date of this
7 Act is scheduled to be held in 2005 or 2006 must be held on November
8 7, 2006.

9 (c) If, under Subsection (b) of this section, the positions
10 of more than one half of the trustees or as near to one half as
11 possible would be scheduled for election on November 7, 2006, the
12 trustees holding those positions shall draw lots to determine which
13 positions are subject to election in 2006 and which are subject to
14 election in 2008.

15 (d) To implement the changes made to Section 11.059,
16 Education Code, by this Act, a person may serve a term as school
17 district trustee that is longer than the term for which the person
18 was elected.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect on the 91st day after the last day of the
24 legislative session.