

## **BILL ANALYSIS**

S.B. 315  
By: Hinojosa  
Higher Education  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

Currently, Del Mar Community College, in Nueces County, serves more than 1800 students outside its taxing district, which is in five counties, yet only gets the property taxes from a portion of Nueces County. As proposed, S.B. 315 expands the taxing district for Del Mar Community College to cover its service area which is Nueces, San Patricio, Kleberg, Aransas, and Kenedy counties, if a majority of registered voters in those areas to be annexed vote for the expansion in a general election. S.B. 315 would also expand the authority to annex to a junior college that has within its territory a school district with an enrollment of 180,000 or more that is within a county that borders a tributary bay to the Gulf of Mexico.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Chapter 130D, Education Code, by adding Section 130.0661, as follows:

Sec. 130.0661. ANNEXATION BY CERTAIN JUNIOR COLLEGE DISTRICTS OF TERRITORY LOCATED IN SERVICE AREA. (a) Provides that this section applies only to a junior college district with territory which meets certain requirements.

(b) Authorizes a junior college as described by this section to annex for junior college purposes territory that is contiguous to the district and is located entirely within the district's service area established by Subchapter J.

(c) Authorizes the governing body of a junior college district that meets the requirements under Subsection (d), upon presentation of a petition for annexation of the territory, to order an election within its entire district territory to decide whether to change the boundaries of the district to include the proposed territory. Requires the order to meet certain requirements.

(d) Requires a petition submitted under Subsection (c) to meet certain requirements.

(e) Requires the printed election ballot to allow the voters to vote for or against the proposition: "Annexation of the following territory to the \_\_\_\_\_ (with the blank filled in with the name of the junior college district): \_\_\_\_\_" (with the blank filled in with a description of the territory proposed to be annexed).

(f) Provides that the proposition is adopted if approved by a majority of the votes cast at the election.

(g) Requires the governing body of the junior college district to enter an order stating that the territory is annexed to the district for junior college purposes, if the proposition is adopted.

Requires the governing body, if it is elected from single-member districts, to assign the annexed territory to one or more of those single districts contiguous to the annexed territory and to make any other appropriate changes to those districts in the order or in a subsequent order, prior to the next election for members of the governing body.

(h) Provides that the annexation of territory and any change resulting in the single-member districts from which members of the governing are elected does not affect the term of a member of the governing body serving on the date the annexation or redistricting takes effect.

(i) Prohibits the same junior college district, if the proposition to annex the territory is not adopted at the election, from holding another election to annex any portion of the same territory, before the first anniversary date of the election on the proposition.

(j) Prohibits a junior college district from annexing territory under this section that is located within the boundaries of another junior college district.

SECTION 2. Effective date: upon passage or September 1, 2003.

#### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

#### **EXPLANATION OF AMENDMENT**

The committee amendment modifies the original to expand the authority to annex to a junior college that has within its territory a school district with an enrollment of 180,000 or more that is within a county that borders a tributary bay to the Gulf of Mexico.