

By: Lewis

H.B. No. 583

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the method of selecting and to terms of trustees of  
3 independent school districts.

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

5 SECTION 1. Subchapter C, Chapter 11, Education Code, is  
6 amended by adding Section 11.0531 to read as follows:

7 Sec. 11.0531. DISTRICTS WITH MORE THAN 80,000 STUDENTS IN  
8 CERTAIN COUNTIES. (a) In this section, "enrollment" means the  
9 number of students enrolled on the last school day of September in  
10 the 2002-2003 school year.

11 (b) This section applies only to an independent school  
12 district with an enrollment of more than 80,000 students in a county  
13 having two or more municipalities with a population of 250,000 or  
14 more. For purposes of this subsection, a municipality is located in  
15 a county if more than 95 percent of the municipality's population  
16 resides in that county.

17 (c) All members of the board of trustees shall be elected  
18 from single-member trustee districts. In addition to officers  
19 selected as provided by Section 11.061, the board shall select one  
20 of its members as vice president.

21 (d) Not later than the 120th day before the date of the first  
22 election at which a district elects trustees under this section,  
23 the board shall divide the school district into trustee districts  
24 and shall number each trustee district. The trustee districts must

1 be compact, contiguous, and as nearly as practicable equal in  
2 population.

3 (e) Residents of each trustee district are entitled to elect  
4 one trustee to the board. A trustee elected to represent a trustee  
5 district at the first election of trustees must be a resident of the  
6 district the trustee represents not later than:

7 (1) the 90th day after the date election returns are  
8 canvassed; or

9 (2) the 60th day after the date of a final judgment in  
10 an election contest filed concerning that trustee district. After  
11 the first election of trustees from single-member districts, a  
12 candidate for trustee must be a resident of the trustee district the  
13 candidate seeks to represent. A person appointed to fill a vacancy  
14 in a trustee district must be a resident of that trustee district.  
15 A trustee vacates the office if the trustee ceases to reside in that  
16 district.

17 (f) A candidate must receive a majority of the votes cast in  
18 a position to be elected.

19 (g) At the first election at which trustees are elected in  
20 the manner required by this section and after each redistricting,  
21 all positions on the board shall be filled. The trustees then  
22 elected shall draw lots for staggered terms of four years as  
23 provided by Section 11.059.

24 (h) Not later than the 120th day before the date of the first  
25 regular election at which trustees may officially recognize and act  
26 on the last preceding federal census, the board shall redivide the  
27 district into trustee districts if the census data indicates that

1 the population of the most populous district exceeds the population  
2 of the least populous district by more than 10 percent. Redivision  
3 of the district shall be in the manner provided for division of the  
4 district under Subsection (d).

5 (i) The board of trustees of an independent school district  
6 described by Subsection (b) shall hold a referendum on whether to  
7 adopt this section. The referendum shall be held at the election  
8 held in May 2004. This section applies only if a majority of the  
9 voters voting on the proposition vote for the proposition.

10 SECTION 2. Section 11.059, Education Code, is amended by  
11 adding Subsection (e) to read as follows:

12 (e) At a regular election of trustees or at a special  
13 election not later than the 120th day before the date of a regular  
14 election of trustees, the board of trustees of a district may hold a  
15 referendum on whether to change the length of the term the trustees  
16 serve from three years to four or from four years to three. The  
17 transition to three-year or four-year terms begins with the first  
18 regular election held after the approval of the proposition by a  
19 majority of the voters voting on the issue. Trustees in office on  
20 the date the proposition is approved shall serve the remainder of  
21 their terms. The proposition must specify the manner in which the  
22 transition to three-year or four-year terms is made.

23 SECTION 3. This Act takes effect September 1, 2003, and  
24 applies beginning with the first regular election of trustees held  
25 after that date in a school district to which Section 11.0531,  
26 Education Code, as added by this Act, applies.