

By: Lewis

H.B. No. 583

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the method of selecting trustees in certain independent
3 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, "average daily attendance"
9 means the number of students enrolled and in attendance on average
10 during the last 10 school days of September in the 2002-2003 school
11 year.

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

18 (c) Notwithstanding Section 11.051, the board of trustees
19 of an independent school district to which this section applies
20 consists of 11 members elected in accordance with this section.

21 (d) All members of the board of trustees shall be elected
22 from single-member trustee districts. In addition to officers
23 selected as provided by Section 11.061, the board shall select one
24 of its members as vice president.

1 (e) Not later than the 120th day before the date of the first
2 election at which a district elects trustees under this section,
3 the board shall divide the school district into 11 trustee
4 districts and shall number each trustee district. The trustee
5 districts must be compact, contiguous, and as nearly as practicable
6 equal in population.

7 (f) Residents of each trustee district are entitled to elect
8 one trustee to the board. A trustee elected to represent a trustee
9 district at the first election of trustees must be a resident of the
10 district the trustee represents not later than:

11 (1) the 90th day after the date election returns are
12 canvassed; or

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

21 (g) A candidate must receive a majority of the votes cast in
22 a position to be elected.

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

1 (i) Not later than the 120th day before the date of the first
2 regular election at which trustees may officially recognize and act
3 on the last preceding federal census, the board shall redivide the
4 district into 11 trustee districts if the census data indicates
5 that the population of the most populous district exceeds the
6 population of the least populous district by more than 10 percent.
7 Redivision of the district shall be in the manner provided for
8 division of the district under Subsection (e).

9 SECTION 2. This Act takes effect September 1, 2003, and
10 applies beginning with the first regular election of trustees held
11 after that date in a school district to which Section 11.0531,
12 Education Code, as added by this Act, applies.