

By: Hinojosa

S.B. No. 315

A BILL TO BE ENTITLED

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AN ACT

relating to the annexation by certain junior college districts of territory in a district's service area.

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

SECTION 1. Subchapter D, Chapter 130, Education Code, is amended by adding Section 130.0661 to read as follows:

Sec. 130.0661. ANNEXATION BY CERTAIN JUNIOR COLLEGE DISTRICTS OF TERRITORY LOCATED IN SERVICE AREA. (a) This section applies only to a junior college district that:

(1) includes within its territory all or part of a municipality with a population of 250,000 or more that borders the Gulf of Mexico; and

(2) has a service area established by Subchapter J that includes four or more whole counties.

(b) A junior college district to which this section applies may in the manner provided by this section annex for junior college purposes territory that is contiguous to the district and is located wholly within the district's service area established by Subchapter J.

(c) On presentation to the governing body of a junior college district of a petition that proposes the annexation of territory to the district and that meets the requirements of Subsection (d), the governing body may order an election to be held in the territory of the entire district as proposed to be changed as

1 a result of the annexation on the question of whether the boundaries
2 of the district should be changed to include the territory proposed
3 to be annexed. The order must:

4 (1) describe the territory proposed to be annexed; and
5 (2) set a date for the election, which must be the next
6 uniform election date that is more than 45 days after the date of
7 the order.

8 (d) To be valid, a petition submitted under Subsection (c)
9 must:

10 (1) describe the territory proposed to be annexed; and
11 (2) be signed by a number of registered voters
12 residing in the territory proposed to be annexed that equals or
13 exceeds the lesser of:

14 (A) 50; or
15 (B) a majority of the total number of registered
16 voters in the territory proposed to be annexed as of the most recent
17 November uniform election.

18 (e) The ballot for the election shall be printed to provide
19 for voting for or against the proposition: "Annexation of the
20 following territory to the _____ (with the blank filled in
21 with the name of the junior college district):_____"
22 (with the blank filled in with a description of the territory
23 proposed to be annexed).

24 (f) The proposition is adopted if approved by a majority of
25 the votes cast at the election.

26 (g) If the proposition is adopted, the governing body of the
27 junior college district shall enter an order stating that the

1 territory is annexed to the district for junior college purposes.
2 If the governing body is elected from single-member districts, the
3 governing body shall assign the annexed territory to one or more of
4 those single-member districts contiguous to the annexed territory
5 and make any other appropriate changes to those districts in the
6 order or in a subsequent order before the next election for members
7 of the governing body.

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

13 (i) If the proposition to annex territory is not adopted at
14 the election, another election to annex any portion of the same
15 territory to the same junior college district may not be held
16 earlier than the first anniversary of the date of the election on
17 the proposition.

18 (j) A junior college district may not annex territory under
19 this section that is located within the boundaries of another
20 junior college district.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2003.

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COMMITTEE AMENDMENT NO. 1

Amend Section 1 of SB 315 by amending Sec. 130.0661(a) to read as follows:

(a) This section applies only to a junior college district that:

(1) includes within its territory all or part of a municipality with a population of 250,000 or more that borders the Gulf of Mexico; and

(2) has a service area established by Subchapter J that includes four or more whole counties; or

(3) includes 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.

Goolsby