

Amend CSHB 2221 by inserting the following appropriately numbered section to the bill and renumbering the remaining sections of the bill appropriately:

SECTION _____. Subchapter D, Chapter 130, Education Code, is amended by adding Section 130.0705 to read as follows:

Sec. 130.0705. DISANNEXATION OF CERTAIN TERRITORY. (a) Territory of a junior college district that was annexed to the junior college district at an election held on or after January 1, 2005, at which less than a majority of the registered voters in the territory who voted in the annexation election voted for the annexation may be disannexed from the junior college district as provided by this section unless the district has outstanding bonded indebtedness that was incurred after the annexation of the territory. The territory to be disannexed must include the entire territory annexed at the election.

(b) On presentation to the governing board of the junior college district of a petition proposing the disannexation of territory to the district, the governing board shall call an election on the question of disannexation. The petition must:

(1) contain an accurate description of the territory proposed for disannexation; and

(2) be signed by 50 registered voters in the territory proposed to be disannexed or by a majority of the registered voters in that territory as of the most recent general election for state and county officers, whichever number is less.

(c) The governing board shall order the election to be held in the territory proposed for disannexation on the first authorized uniform election date that is not less than 45 days after the date of the order and that affords enough time to hold the election in the manner provided by law. The board shall give notice of the election in the manner provided by law for notice by the county judge of a general election.

(d) The governing board shall conduct the election in accordance with the Election Code.

(e) The election shall be held only in the territory proposed for disannexation, and only those registered voters residing in that territory are permitted to vote.

(f) The ballot shall be printed to provide for voting for or against the proposition: "Disannexation of the following territory: _____", with the blank filled in with a description of the territory proposed for disannexation, "from the _____ District", with the blank filled in with the name of the junior college district.

(g) The proposition is adopted if the proposition receives a favorable vote of a majority of those voters voting on the proposition.

(h) If the proposition is adopted, the governing board of the district shall enter an order declaring the result of the election and that the territory is disannexed from the junior college district on the date specified in the order.

(i) After a vote to disannex territory from a district, the governing board of the district shall continue to control and administer the property and other assets of the district located within the disannexed territory until all assets have been disposed of.

(j) The governing board of the district may not dispose of the district's assets located within the disannexed territory except for appropriate consideration unless the debts are transferred to another governmental entity or agency within or embracing the district and the transfer will benefit the district's citizens.

(k) The disannexation does not affect the authority of the district to enforce payment of taxes imposed by the district in the disannexed territory before the disannexation.

(l) An election to create a new junior college district or join an existing junior college district may not be held within the disannexed territory before the first anniversary of the date of disannexation.