

BILL ANALYSIS

H.B. 2956
By: Hamric
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The purpose of this legislation is to require people to demonstrate and understand the importance of the position on the board of trustees, and to stress the importance of a campaign and election, without prohibiting citizens from running for such position. Most elected positions require a filing fee when one chooses to participate in an election. Under current law, no filing fee is required to participate as a candidate for the board of trustees of a junior college district. In previous years, junior college districts have experienced trouble with regard to participants in such elections.

One year, a student, having a name similar to an incumbent, decided to run for the position based solely on the fact that citizens would think he was this particular incumbent, and therefore would vote for the student. The student later changed his mind and withdrew one day past the deadline. The Secretary of State confirmed that a contested election existed even though the student chose to withdraw and stated he would not serve even if elected. Because of this, the election cost taxpayers \$85,000.

This legislation would help put an end to the waste of taxpayer time and money, and assure both the board of trustees and citizens that the person running for election is committed and understands the seriousness of being elected as a member to a board of trustees of a junior college district.

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. States that the board of trustees of a district with a population greater than one million can require a filing fee to accompany an application filed under Subsection (d) of this code. This fee is not to exceed \$200.00. A petition signed by not more than 200 registered voters of that district may be used instead of a filing fee, as determined by the board.

SECTION 2. Effective date.

EFFECTIVE DATE

This Act takes effect September 1, 2005.