

BILL ANALYSIS

Senate Research Center
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S.B. 1859
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S/C on Higher Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Last year the Houston Community College System (HCCS) proposed to annex the territories of Katy, Alief, Spring Branch and North Forrest through an annexation election that would have grouped the voters of the existing district with those in the territories proposed for annexation. While the state authorizes such an annexation election, community leaders in the territories proposed for annexation objected that such an election method effectively negated any meaningful input that the voters in those areas may have. HCCS Board of Trustees decided to postpone the proposed annexation. A review of state law governing community college annexation procedures found that the various sections of the Education Code allowed for different types of annexation elections, including one where the voters in the territory proposed for annexation and those in the existing district vote on the issue. As proposed, S.B. 1859 specifies that only voters in a territory proposed for annexation may decide on the proposition of annexation by a junior college district in a county with a population of 3.3 million or more.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 130, Education Code, by adding Section 130.074, as follows:

Sec. 130.074. RESIDENT APPROVAL OF ANNEXATION OF TERRITORY BY ELECTION. Prohibits a junior college district located in a county that has a population of more than 3.3 million from annexing territory to the district by election unless the annexation is approved by a majority of the residents of the territory proposed for annexation who vote in the election, notwithstanding any other provision of this subchapter, and regardless of whether participation in the election is limited to residents of the territory proposed for annexation.

SECTION 2. Effective date: upon passage or September 1, 2005.