

By: Madden

H.B. No. 855

A BILL TO BE ENTITLED

AN ACT

relating to elections and terms of office for trustees of an independent school district.

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

SECTION 1. Section 11.059, Education Code, is amended to read as follows:

Sec. 11.059. TERMS. (a) A trustee of an independent school district serves a term of ~~[three or]~~ four years.

(b) ~~[Elections for trustees with three-year terms shall be held annually. The terms of one-third of the trustees, or as near to one-third as possible, expire each year.]~~

~~[(c)]~~ Elections for trustees ~~[with four-year terms]~~ shall be held on the uniform election date in November in even-numbered years [biennially]. The terms of one-half of the trustees, or as near to one-half as possible, expire every two years.

(c) ~~[(d)]~~ A board policy must state the schedule on which specific terms expire.

SECTION 2. Section 41.001(d), Election Code, is amended to read as follows:

(d) A general election of officers of a city, school district, junior college district, or hospital district may not be held on the February or September uniform election date. A general election of officers of an independent school district may not be held on the February, May, or September uniform election date.

1 SECTION 3. (a) Section 11.059, Education Code, as amended
2 by this Act, applies to a school district trustee election
3 scheduled to be held on or after November 8, 2005.

4 (b) Except as provided by Subsection (c) of this section, a
5 school district trustee election that on the effective date of this
6 Act is scheduled to be held on November 8, 2005, or May 6, 2006, must
7 be held on November 7, 2006.

8 (c) If, under Subsection (b) of this section, the positions
9 of more than one-half of the trustees or as near to one-half as
10 possible would be scheduled for election on November 7, 2006, the
11 trustees holding those positions shall draw lots to determine, as
12 appropriate, which positions are subject to election in 2006 and
13 which are subject to election in 2008.

14 (d) To implement the changes made to Section 11.059,
15 Education Code, by this Act, a person may serve a term as school
16 district trustee that is longer than the term for which the person
17 was elected.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2005.