

By: Denny

H.B. No. 909

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the validation of the boundaries of certain school
3 districts.

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

5 SECTION 1. (a) This section applies to any common,
6 independent, or municipal school district that is located in whole
7 or in part in a county that borders a county that has a population of
8 at least two million and has:

9 (1) a population of at least one million; or

10 (2) a population of at least 400,000 and a county seat
11 that has a population of at least 75,000.

12 (b) The boundaries of a common, independent, or municipal
13 school district as they existed on January 1, 2004, are validated as
14 of that date.

15 (c) If the boundaries of a common, independent, or municipal
16 school district are not, as of January 1, 2004, established by a
17 complete metes and bounds description, the boundaries are
18 determined by school district attendance zones or tax assessment
19 lines as of January 1, 2004, or by other evidence of district
20 boundary recognition as of January 1, 2004.

21 (d) This section does not affect school district boundaries
22 that:

23 (1) on the effective date of this Act are the subject
24 of litigation if:

1 (A) the action was commenced before January 1,
2 2004; and

3 (B) the litigation ultimately results in the
4 boundaries being determined by a final judgment of a court;

5 (2) on the effective date of this Act have been
6 determined by a final judgment of a court; or

7 (3) as of January 1, 2004, were the subject of a
8 detachment, annexation, consolidation, abolition, or other
9 boundary change procedure under Chapter 13, Education Code, if the
10 detachment, annexation, consolidation, abolition, or other
11 boundary change procedure is completed in compliance with that
12 chapter.

13 (e) For purposes of Subsection (d)(3) of this section, the
14 boundaries of a school district were the subject of a detachment,
15 annexation, consolidation, abolition, or other boundary change
16 procedure under Chapter 13, Education Code, as of January 1, 2004,
17 if, as of that date:

18 (1) the board of trustees of at least one school
19 district involved in the proposed detachment, annexation,
20 consolidation, abolition, or other boundary change procedure had
21 adopted a resolution to engage in the boundary change;

22 (2) the board of trustees of the school district had
23 received a petition requesting an election on the proposed
24 detachment, annexation, consolidation, abolition, or other
25 boundary change procedure, regardless of whether the board of
26 trustees had, as of that date, determined whether the petition is
27 valid; or

1 (3) the commissioner of education had informed the
2 board of trustees of the school district in writing that the
3 commissioner intended to annex the district to one or more
4 adjoining districts as authorized by Section 39.131(a)(10),
5 Education Code.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.