

By: Luna

H.B. No. 2221

A BILL TO BE ENTITLED

AN ACT

1
2 relating to extending the boundaries of a junior college district
3 to include territory in the district's service area.

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

5 SECTION 1. Subchapter D, Chapter 130, Education Code, is
6 amended by adding Section 130.0661 to read as follows:

7 Sec. 130.0661. EXTENDING BOUNDARIES OF JUNIOR COLLEGE
8 DISTRICT IN DISTRICT'S SERVICE AREA. (a) The governing board of a
9 junior college district may order an election on the question of
10 establishing expanded boundaries for the junior college district to
11 encompass all of the territory located within the district's
12 service area established by Subchapter J, other than territory
13 located in the service area of another junior college district, if:

14 (1) more than 25 percent of the total number of
15 students who enrolled in the junior college district in the most
16 recent academic year resided outside of the existing junior college
17 district; or

18 (2) a petition requesting that the territory be added
19 to the junior college district signed by 50 registered voters in the
20 territory to be added or by a number of those registered voters
21 equal to at least five percent of the number of registered voters in
22 that territory as of the most recent general election for state and
23 county officers, whichever number is less, is presented to the
24 governing board of the junior college district.

1 (b) The governing board of a junior college district may
2 order an election on the question of establishing expanded
3 boundaries for the junior college district to encompass part of the
4 territory located within the district's service area established by
5 Subchapter J, other than territory located in the service area of
6 another junior college district, if:

7 (1) more than 15 percent of the high school graduates
8 for the preceding five academic years in the territory proposed to
9 be added to the district have enrolled in the junior college
10 district; or

11 (2) a petition requesting that the territory be added
12 to the junior college district signed by a number of registered
13 voters in the territory to be added equal to at least five percent
14 of the number of registered voters in that territory as of the most
15 recent general election for state and county officers is presented
16 to the governing board of the junior college district.

17 (c) Territory may be added to a junior college district as
18 provided by this section only if the territory is located wholly
19 within a single school district or municipality. This subsection
20 does not prohibit a junior college district from conducting
21 elections or other procedures for the purpose of establishing
22 expanded boundaries for the junior college district for more than
23 one territory at the same time.

24 (d) Before the governing board of the junior college
25 district may order an election under this section, the board must
26 hold a public hearing within the territory proposed to be added.
27 The hearing must be held not earlier than the 45th day and not later

1 than the 30th day before the date the board issues the order for the
2 election.

3 (e) Not later than the 30th day before the date of a public
4 hearing held under Subsection (d), the governing board shall
5 complete and publish a service plan for the territory proposed to be
6 added. The service plan must include:

7 (1) the maximum property tax rate that the board may
8 adopt;

9 (2) the most recent property tax rate adopted by the
10 board and any tax rate increase proposed or anticipated to occur
11 after the addition;

12 (3) the tuition rate that would apply after the
13 addition for a student who resides in the district;

14 (4) plans for providing educational services in the
15 territory, including proposed or contemplated campus and facility
16 expansion in the territory;

17 (5) plans for cooperation with local workforce
18 agencies; and

19 (6) any other elements consistent with this subchapter
20 prescribed by rule of the Texas Higher Education Coordinating
21 Board.

22 (f) The election shall be held in the combined territory of
23 the junior college district and any territory proposed to be added.
24 The order must:

25 (1) describe the entire territory proposed to be
26 included in the new boundaries of the district; and

27 (2) set a date for the election, which must be the next

1 uniform election date that is more than 65 days after the date of
2 the order and that affords enough time to hold the election in the
3 manner provided by law.

4 (g) The ballot for the election shall be printed to provide
5 for voting for or against the proposition: "Establishing expanded
6 boundaries for the _____ (with the blank filled in with
7 the name of the junior college district) as
8 follows: _____ (with the blank filled in with a
9 description of the entire territory that will be included in the
10 expanded district if the proposition is approved)."

11 (h) The proposition is adopted if approved by a majority of
12 the votes cast at the election.

13 (i) If the proposition is adopted, the governing board of
14 the junior college district shall enter an order stating that the
15 new boundaries are established for the district for junior college
16 purposes.

17 (j) If the proposition is adopted and the governing board is
18 elected from single-member districts, the governing board in the
19 order entered under Subsection (i) shall assign the new territory
20 to one or more of the current single-member districts. The
21 governing board shall divide the territory of the expanded junior
22 college district into the appropriate number of single-member
23 districts before the next election for members of the governing
24 board.

25 (k) The addition of territory to a junior college district
26 under this section and any resulting change in the single-member
27 districts from which members of the governing board are elected

1 does not affect the term of a member of the governing board serving
2 on the date the addition or redistricting takes effect. The
3 governing board shall provide that each member of the governing
4 board representing a single-member district who is holding office
5 on the date the addition takes effect serve the remainder of the
6 member's term and represent a single-member district in the
7 expanded junior college district for that term regardless of
8 whether the member resides in that single-member district.

9 (1) A junior college district may not adopt new boundaries
10 for the district under this section that extend within the service
11 area of another junior college district.

12 (m) If the proposition to establish new boundaries for the
13 junior college district is not adopted at the election, another
14 election to extend the boundaries of the same junior college
15 district may not be held under this section earlier than the fifth
16 anniversary of the date of the election on the proposition.

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