

1-1 By: Estes S.B. No. 697  
1-2 (In the Senate - Filed February 23, 2005; March 2, 2005,  
1-3 read first time and referred to Committee on Education;  
1-4 April 13, 2005, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the validation of the boundaries of certain school  
1-9 districts.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. (a) This section applies to any common,  
1-12 independent, or municipal school district that is located in whole  
1-13 or in part in a county that borders a county that has a population of  
1-14 at least two million and has:

1-15 (1) a population of at least one million; or

1-16 (2) a population of at least 400,000 and a county seat  
1-17 that has a population of at least 75,000.

1-18 (b) The boundaries of a common, independent, or municipal  
1-19 school district as they existed on January 1, 2004, are validated as  
1-20 of that date.

1-21 (c) If the boundaries of a common, independent, or municipal  
1-22 school district are not, as of January 1, 2004, established by a  
1-23 complete metes and bounds description, the boundaries are  
1-24 determined by school district attendance zones or tax assessment  
1-25 lines as of January 1, 2004, or by other evidence of district  
1-26 boundary recognition as of January 1, 2004.

1-27 (d) This section does not affect school district boundaries  
1-28 that:

1-29 (1) on the effective date of this Act are the subject  
1-30 of litigation if:

1-31 (A) the action was commenced before January 1,  
1-32 2004; and

1-33 (B) the litigation ultimately results in the  
1-34 boundaries being determined by a final judgment of a court;

1-35 (2) on the effective date of this Act have been  
1-36 determined by a final judgment of a court; or

1-37 (3) as of January 1, 2004, were the subject of a  
1-38 detachment, annexation, consolidation, abolition, or other  
1-39 boundary change procedure under Chapter 13, Education Code, if the  
1-40 detachment, annexation, consolidation, abolition, or other  
1-41 boundary change procedure is completed in compliance with that  
1-42 chapter.

1-43 (e) For purposes of Subdivision (3), Subsection (d) of this  
1-44 section, the boundaries of a school district were the subject of a  
1-45 detachment, annexation, consolidation, abolition, or other  
1-46 boundary change procedure under Chapter 13, Education Code, as of  
1-47 January 1, 2004, if, as of that date:

1-48 (1) the board of trustees of at least one school  
1-49 district involved in the proposed detachment, annexation,  
1-50 consolidation, abolition, or other boundary change procedure had  
1-51 adopted a resolution to engage in the boundary change;

1-52 (2) the board of trustees of the school district had  
1-53 received a petition requesting an election on the proposed  
1-54 detachment, annexation, consolidation, abolition, or other  
1-55 boundary change procedure, regardless of whether the board of  
1-56 trustees had, as of that date, determined whether the petition is  
1-57 valid; or

1-58 (3) the commissioner of education had informed the  
1-59 board of trustees of the school district in writing that the  
1-60 commissioner intended to annex the district to one or more  
1-61 adjoining districts as authorized by Subdivision (10), Subsection  
1-62 (a), Section 39.131, Education Code.

1-63 SECTION 2. This Act takes effect immediately if it receives  
1-64 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this  
2-2 Act does not receive the vote necessary for immediate effect, this  
2-3 Act takes effect September 1, 2005.

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