

By: Ellis

S.B. No. 927

A BILL TO BE ENTITLED

AN ACT

relating to the annexation of territory in political subdivisions by certain junior college districts.

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

SECTION 1. Subchapter D, Chapter 130, Education Code, is amended by adding Section 130.0712 to read as follows:

Sec. 130.0712. ANNEXATION OF TERRITORY BY ELECTION FOR CERTAIN DISTRICTS. (a) Notwithstanding any other provision of this subchapter, a junior college district that includes within its territory all or part of a school district with a student enrollment of more than 170,000 may annex territory by election only as provided by this section. The territory to be annexed must be located within:

(1) the service area of the junior college district;

or

(2) a municipality or school district that is partly located within the junior college district.

(b) The governing board of the junior college district may order an election on the question of establishing expanded boundaries for the junior college district by annexing all or part of the territory of a municipality or school district described by Subsection (a) if that territory is not currently located in the junior college district. The election shall be held only in the territory proposed for annexation. The order for the election

1 must:

- 2 (1) describe the territory to be annexed; and
3 (2) set a date for the election, which must be the next
4 uniform election date that is more than 65 days after the date of
5 the order and that affords enough time to hold the election in the
6 manner provided by law.

7 (c) The governing board shall conduct the election in
8 accordance with the Election Code.

9 (d) Any registered voter residing within the territory
10 proposed for annexation is entitled to vote at the election.

11 (e) The ballot shall be printed to provide for voting for or
12 against the proposition: "Annexation by _____ (with the blank
13 filled in with the name of the junior college district) of the
14 following territory for junior college purposes: _____ (with
15 the blank filled in with a description of the territory proposed for
16 annexation)."

17 (f) The proposition is adopted if approved by a majority of
18 the voters voting at the election. If the proposition is adopted,
19 the governing board of the district shall enter an order declaring
20 the result of the election and that the territory is annexed for
21 junior college purposes.

22 (g) If the proposition is adopted and the governing board is
23 elected from single-member districts, the governing board in the
24 annexation order entered under Subsection (f) shall assign the new
25 territory to one or more of the current single-member districts.
26 The governing board shall divide the territory of the expanded
27 junior college district into the appropriate number of

1 single-member districts before the next election for members of the
2 governing board.

3 (h) If the proposition is not adopted, another election to
4 annex the same territory may not be held earlier than one year after
5 the date of the election in which the proposition is defeated.

6 (i) The annexation of territory to a junior college district
7 under this section and any resulting change in the single-member
8 districts from which members of the governing board are elected
9 does not affect the term of a member of the governing board serving
10 on the date the annexation or redistricting takes effect. The
11 governing board shall provide that each member of the governing
12 board representing a single-member district who is holding office
13 on the date the territory is annexed to the district serves the
14 remainder of the member's term and represents a new single-member
15 district for that term regardless of whether the member resides in
16 the single-member district.

17 (j) If the junior college district annexes under this
18 section territory comprising all of a municipality or school
19 district, the governing board by order may annex for junior college
20 purposes any territory later annexed by or added to the
21 municipality or school district.

22 (k) A junior college district may not annex under this
23 section territory that is included within the boundaries of another
24 junior college district.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.