

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. The heading to Section 130.071, Education Code,
is amended to read as follows:

Sec. 130.071. ANNEXATION OF TERRITORY IN POLITICAL
SUBDIVISIONS [~~CITY TERRITORY~~] BY CERTAIN DISTRICTS.

SECTION 2. Section 130.071, Education Code, is amended by
amending Subsections (a), (b), (d), (e), (h), (j), and (k) and
adding Subsection (h-1) to read as follows:

(a) A junior college district that is located within part of
a municipality or school district [~~city, town, or village~~] may
annex additional [~~the~~] territory included within the municipality
or school district as provided by [~~city, town, or village in
accordance with~~] this section.

(b) The [~~Except as provided by Subsection (k) of this
section, the~~] governing board of the junior college district may
[~~shall~~] order an election on the question of establishing expanded
boundaries for the junior college district by annexing all or part
of the territory of the municipality or school district that is not
currently located in the junior college district. The election
shall be held only in the territory [~~to be conducted within the
boundaries of the district as changed by the~~] proposed for

1 annexation. The order for the election must ~~[shall]~~:

2 (1) describe the territory to be annexed; and

3 (2) set a date for the election, which must ~~[shall]~~ be
4 the next uniform election date that is more than 65 ~~[45]~~ days after
5 ~~[from]~~ the date of the order and that affords enough time to hold
6 the election in the manner provided by law.

7 (d) The governing board ~~[of the junior college district]~~
8 shall conduct the election in accordance with the Election Code
9 ~~[procure the election supplies necessary to conduct the election~~
10 ~~and shall determine the quantity of the various types of supplies to~~
11 ~~be provided for use at each precinct polling place and early voting~~
12 ~~polling place].~~

13 (e) Any registered ~~[qualified]~~ voter residing within the
14 territory ~~[boundaries of the district as changed by the]~~ proposed
15 for annexation is entitled to vote at the election.

16 (h) The measure is adopted if approved by a majority of the
17 voters voting at the election. If the measure is adopted, the
18 governing board of the district shall enter an order declaring the
19 result of the election and that the territory is annexed for junior
20 college purposes. ~~[If the governing board members are elected from~~
21 ~~single-member districts, the order shall also assign the annexed~~
22 ~~territory to one or more single-member districts that are~~
23 ~~contiguous with the annexed territory.]~~

24 (h-1) If the proposition is adopted and the governing board
25 is elected from single-member districts, the governing board in the
26 annexation order entered under Subsection (h) shall assign the new
27 territory to one or more of the current single-member districts.

1 The governing board shall divide the territory of the expanded
2 junior college district into the appropriate number of
3 single-member districts before the next election for members of the
4 governing board.

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

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

23 SECTION 3. Section 130.071(c), Education Code, is repealed.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.