

By: Hinojosa

S.B. No. 1816

A BILL TO BE ENTITLED

AN ACT

relating to the annexation by certain junior college districts of territory in a district's service area.

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

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

Sec. 130.0661. ANNEXATION BY CERTAIN JUNIOR COLLEGE DISTRICTS OF CERTAIN TERRITORY LOCATED IN SERVICE AREA. (a) This section applies only to a junior college district that:

(1) includes within its territory all or part of a municipality with a population of 250,000 or more that borders the Gulf of Mexico; and

(2) has a service area established by Subchapter J that includes four or more whole counties.

(b) A junior college district to which this section applies may in the manner provided by this section annex for junior college purposes territory that is contiguous to the district and that is located:

(1) wholly within the district's service area established by Subchapter J; and

(2) wholly within the same county as the county in which a majority of the territory of the district is located.

(c) On presentation to the governing board of a junior college district of a petition that proposes to annex to the

1 district territory described by Subsection (b) and that meets the
2 requirements of Subsection (d), the governing board may order an
3 election to be held in the combined territory of the junior college
4 district and any territory proposed to be annexed on the question of
5 whether the boundaries of the district should be changed to include
6 the territory proposed to be annexed. The order must:

7 (1) describe the territory proposed to be annexed; and

8 (2) set a date for the election, which must be the next
9 uniform election date that is more than 65 days after the date of
10 the order and that affords enough time to hold the election in the
11 manner provided by law.

12 (d) To be valid, a petition submitted under Subsection (c)
13 must:

14 (1) describe the territory proposed to be annexed; and

15 (2) be signed by a number of registered voters in the
16 territory proposed to be annexed that equals or exceeds the lesser
17 of:

18 (A) 50; or

19 (B) a majority of the total number of registered
20 voters in the territory proposed to be annexed as of the most recent
21 general election for state and county officers.

22 (e) The ballot for the election shall be printed to provide
23 for voting for or against the proposition: "Annexation of territory
24 to the _____ (with the blank filled in with the name of the
25 junior college district) as follows: _____" (with the
26 blank filled in with a description of the territory proposed to be
27 annexed).

1 (f) The proposition is adopted if approved by a majority of
2 the votes cast at the election.

3 (g) If the proposition is adopted, the governing board of
4 the junior college district shall enter an order stating that the
5 new boundaries are established for the district for junior college
6 purposes.

7 (h) If the proposition is adopted and the governing board is
8 elected from single-member districts, the governing board in the
9 order entered under Subsection (g) shall assign the new territory
10 to one or more of the current single-member districts. The
11 governing board shall divide the territory of the expanded junior
12 college district into the appropriate number of single-member
13 districts before the next election for members of the governing
14 board.

15 (i) The annexation of territory to a junior college district
16 under this section and any resulting change in the single-member
17 districts from which members of the governing board are elected
18 does not affect the term of a member of the governing board serving
19 on the date the annexation or redistricting takes effect. The
20 governing board shall provide that each member of the governing
21 board representing a single-member district who is holding office
22 on the date the annexation takes effect serves the remainder of the
23 member's term and represents a single-member district in the
24 expanded junior college district for that term regardless of
25 whether the member resides in that single-member district.

26 (j) If the proposition to annex territory is not adopted at
27 the election, another election to annex any portion of the same

1 territory to the same junior college district may not be held
2 earlier than the first anniversary of the date of the election on
3 the proposition.

4 (k) A junior college district may not annex territory under
5 this section that is located within the boundaries of another
6 junior college district.

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