

By: Raymond

H.B. No. 4129

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election of junior college district trustees by
3 plurality vote.

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

5 SECTION 1. Section 130.082, Education Code, is amended by
6 amending Subsection (g) and adding Subsection (g-1) to read as
7 follows:

8 (g) The board shall ~~[designate a]~~ number ~~[for]~~ the positions
9 on ~~[position held by each member of]~~ the board~~[, from one upward]~~ in
10 the ~~[consecutive numerical]~~ order in which ~~[such manner that the~~
11 ~~lowest numbers shall be assigned to]~~ the ~~[members whose]~~ terms of
12 office of the members expire ~~[in the shortest length of time]~~,
13 provided that any ~~[such]~~ position number designations on existing
14 boards under existing law at the effective date of this act shall
15 remain in effect. At each election candidates shall be voted upon
16 and be elected separately for each position on the board, and the
17 name of each candidate shall be placed on the official ballot
18 according to the number of the position for which the candidate ~~[he~~
19 ~~or she]~~ is running. The ~~[A]~~ candidate receiving the highest number
20 of ~~[a majority of the]~~ votes ~~[cast for all candidates]~~ for each
21 respective ~~[a]~~ position voted on is ~~[shall be declared]~~ elected.
22 The board shall place a candidate's ~~[If no candidate receives such a~~
23 ~~majority, then the two candidates receiving the highest number of~~
24 ~~votes shall run against each other for the position. The run-off~~

1 ~~election for all positions shall be held on a date that complies~~
2 ~~with law and shall be ordered, notice thereof given, and held, as~~
3 ~~provided herein for regular elections. Any resident, qualified~~
4 ~~elector of the district may have his or her] name [placed as a~~
5 ~~candidate]~~ on the official ballot for any position to be filled at
6 each regular election if the candidate is a resident of the
7 district, is a qualified elector of the district, and files [by
8 filing] with the secretary of the board a written application
9 ~~[therefor]~~ signed by the applicant, not later than 5 p.m. of the
10 45th day before the date of the election. An application may not be
11 filed earlier than the 30th day before the date of the filing
12 deadline. The [Such] application must state the number of the
13 position ~~[for which he or she is a candidate,]~~ or the name of the
14 incumbent member of the board holding the position for which the
15 candidate [he or she] desires to run. The order [location] on the
16 ballot of the names of candidates for each position shall be chosen
17 by lot by the board. A candidate shall be eligible to run for only
18 one position at each election.

19 (g-1) The board may provide by resolution, not later than the
20 180th day before the date of an election, that a candidate must
21 receive a majority of the votes cast for a position to be elected
22 under Subsection (g). A resolution adopted under this subsection
23 is effective until rescinded by a subsequent resolution adopted not
24 later than the 180th day before the date of the first election to
25 which the rescission applies.

26 SECTION 2. The change in law made by this Act applies only
27 to an election ordered on or after the effective date of this Act.

1 SECTION 3. This Act takes effect September 1, 2007.