

BILL ANALYSIS

H.B. 1387
By: Davis, Yvonne
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes the board of trustees of a school district with a student enrollment between 125,000 and 200,000 students and located in a county with a population of more than two million to adopt rules regarding the term, election, and residency requirements of the members of the board.

H.B. 1387 requires the board of trustees of such a school district, before adopting a rule regarding the term, election, and residency requirements of board members, to hold a public hearing regarding the proposed rule change. The bill requires the board to submit the proposed rule for voters' approval, provides that a rule adopted by the district is not effective until it is approved by a majority of the district residents voting at the election, and sets forth ballot language.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1387 amends the Education Code to require a board of trustees of a school district whose central administrative office is located in a county with a population of more than two million and whose student enrollment is more than 125,000 and less than 200,000 to hold a hearing at which registered voters of the district are given an opportunity to comment on any proposed rule to govern the term, election, and residency requirements of the board members before adopting the rule. The bill requires the board of trustees to publish notice of the hearing's subject matter, location, date, and time in a newspaper of general circulation in the district not later than the seventh day before the hearing's date. The bill requires the board of trustees to order and hold an election in the district to approve any rule related to governing the term, election, and residency requirements of members of the board adopted by the district. The bill provides that such a rule adopted by the district is not effective until it is approved by a majority of the district residents voting at the election, which must be held on the first uniform election date that occurs after the date the rule is adopted. The bill sets forth the required language for the ballot.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.