

## **BILL ANALYSIS**

H.B. 3841  
By: Hilderbran  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are only a few common school districts remaining in Texas. These are rural, countywide school districts that have decided to retain their identity as common school districts, rather than to become independent school districts. During the last regular legislative session, Crockett County Common School District modified its election date to correspond with that of the county in order to comply with the changes to the Education Code. The change to the school district's election was precleared, and school board elections were held this past November. Recently, individuals at the secretary of state's office have voiced concern as to whether a common school district has authority under the Education Code to move its election date, as the statute only references independent school districts.

H.B. 3841 removes any ambiguity in provisions regulating joint elections for an independent school district as they apply to a common school district by creating similar provisions governing joint elections for a common school district. The bill requires a common school district to hold its general election for trustees on the same date as the election for members of the governing body of a municipality located in the school district or on the same date as the general election for state and county officers.

### **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. 3841 amends the Education Code to require an election for trustees of a common school district, notwithstanding former provisions relating to election of common and common consolidated school district trustees, to be held on the same date as the election for the members of the governing body of a municipality located in the school district or the general election for state and county officers. The bill requires those elections held on the same date to be held as a joint election and requires voters of a joint election described above to be served by common polling places in accordance with state laws governing the conduct of joint elections. The bill requires the board of trustees of a common school district changing an election date to comply with these provisions to adjust the terms of office of its members to conform to the new election date.

H.B. 3841 requires the board of trustees of a common school district, not later than December 31, 2009, to change the date on which the school district holds its general election for trustees to allow the district to hold its election on the same date as the election for members of the governing body of a municipality located in the school district or on the same date as the general election for state and county officers, as required by these provisions, and to adjust the terms of office of school district trustees as necessary to conform to the change in the election date as described above.

**EFFECTIVE DATE**

September 1, 2009.