

## **BILL ANALYSIS**

S.B. 1895  
By: Gallegos  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 1895 amends current law relating to the terms of members of the governing board of junior college districts.

### **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**

S.B. 1895 amends the Education Code to establish that members of a junior college district's board of trustees serve staggered four-year terms, with the terms of as close to one-half of the members as possible expiring in each even-numbered year. The bill removes provisions requiring members to serve six-year terms, requiring one-third of the members to be elected at large in the district at regular elections to be held on the first Saturday in April in each even-numbered year, and, with respect to a seven-member board, requiring two members to be elected in two consecutive even-numbered years and three members shall be elected in the following even-numbered year. The bill deletes obsolete provisions relating to a one-year extension of member terms in the transition period following a previous amendment that changed school board elections from odd-numbered years to even-numbered years.

S.B. 1895 specifies that if a board is increased from seven to nine members, one of the members shall be appointed to serve a two-year term and the other member shall be appointed to serve a four-year term and removes provisions, applicable when members serve six-year terms, specifying their respective appointments to serve until the first election and second elections at which two members otherwise would have been elected.

S.B. 1895 requires members of the board of trustees of a countywide community college district containing a city with a population of more than 384,500 residents who are elected following the district's redistricting to draw lots for the appropriate number of two-year and four-year terms as needed to establish staggered four-year terms, rather than staggered six-year terms. The bill deletes an obsolete provision relating to the continuation of terms of regents serving on May 22, 1969.

S.B. 1895 requires the terms of office of members of an enlarged junior college district's board of regents to be four years, rather than six years. The bill requires, in each even-numbered year, as close to one-half of the number of regents as possible, rather than three regents, to be elected from the area originally forming the junior college district to succeed those regents whose terms are expiring. The bill requires the board, upon ordering the board's enlargement, to designate by resolution duly recorded in the board's minutes the term to be served by each such additional regent to maintain staggered four-year terms and removes provisions requiring the initially appointed regents to serve terms of varying lengths in a rotation of terms set to expire at subsequent elections and thereafter resulting in staggered six-year terms.

S.B. 1895 requires the initial board members of a junior college district appointed by an independent school district board of trustees that has divested control and management of the junior college district containing all or part of a city of more than 1.5 million residents to serve two-year or four-year terms with the trustees drawing lots to determine the lengths of their respective terms. The bill removes provisions requiring three members to serve six-year terms and requiring the terms of the initial board members to expire on the last day of December of the odd-numbered year that does not exceed their terms.

S.B. 1895 requires the governing board of a junior college district, to the extent necessary to implement staggered four-year terms of office for members of the board, to adopt a transition plan so that as nearly as possible half of the members of the board are elected to four-year terms in each even-numbered year. The bill authorizes the governing board to provide for establishing shortened terms for persons elected at the first election of board members held after the effective date of this bill or for drawing lots as part of the transition plan. The bill requires the secretary of state, on request of the presiding officer of a governing board, to assist the board in developing such a transition plan.

S.B. 1895 repeals Sections 130.0821(c) and 130.088(m), Education Code, providing for six-year terms for members of the governing boards of certain junior college and community college districts.

**EFFECTIVE DATE**

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