

BILL ANALYSIS

Senate Research Center
81R11549 CS-F

S.B. 1895
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State Affairs
4/15/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, only certain officers must resign their positions when seeking a different office in Texas. The Texas Constitution requires certain officers to resign before running for other offices, but state law does not currently address school board members or junior college board members.

As proposed, S.B. 1895 requires a school board member in a county of more than 3.3 million to resign from the board before seeking a different office. S.B. 1895 also requires a board member of a junior college in a county with more than 3.3 million people to resign from that position before seeking another elected office. The bill also seeks to regulate the terms of junior college board members in a county of more than 3.3 million people.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 11, Education Code, by adding Section 11.066, as follows:

Sec. 11.066. RESIGNATION OF TRUSTEES OF CERTAIN DISTRICTS WHO BECOME CANDIDATES FOR OTHER OFFICES. (a) Provides that this section applies only to a member of the board of trustees of an independent school district located in a county with a population of more than 3.3 million.

(b) Requires a member of the board of trustees who becomes a candidate, as defined by Section 251.001 (Definitions), Election Code, for a municipal, state, or federal office, to resign as a member of the board as soon as practicable after becoming a candidate.

SECTION 2. Amends Subchapter E, Chapter 130, Education Code, by adding Section 130.0827, as follows:

Sec. 130.0827. GOVERNING BOARD OF CERTAIN DISTRICTS: TERMS; RESIGNATION OF BOARD MEMBER. (a) Provides that this section applies only to a member of the governing board of a junior college district located in a county with a population of more than 3.3 million.

(b) Provides that a member of the governing board of a junior college district to which this section applies serves a staggered four-year term.

(c) Requires a member of the governing board of a junior college district who becomes a candidate, as defined by Section 251.001, Election Code, for a municipal, state, or federal office, to resign as a member of the board as soon as practicable after becoming a candidate.

SECTION 3. (a) Makes application of Section 130.0827(b), Education Code, as added by this Act, prospective.

(b) Requires the governing board of a junior college district to which Section 130.0827(b), Education Code, as added by this Act, applies, to the extent necessary to implement that section, 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 even-numbered years. Authorizes the governing board to provide for establishing shortened terms of persons elected at the first election of governing board members held after the effective date of this Act or drawing lots as part of a transition plan.

SECTION 4. Effective date: upon passage or September 1, 2009.