

By: Davis of Dallas

H.B. No. 1387

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to hearing requirements for the adoption of certain rules  
3 by a board of trustees of certain school districts.

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

5 SECTION 1. Section 11.065, Education Code, is amended by  
6 amending Subsection (d) and adding Subsection (e) to read as  
7 follows:

8 (d) Notwithstanding Chapter 171, Acts of the 50th  
9 Legislature, Regular Session, 1947 (Article 2783d, Vernon's Texas  
10 Civil Statutes), to the extent consistent with this section, the  
11 board of trustees of a school district described by Subsection (a)  
12 may adopt rules necessary to govern the term, election, and  
13 residency requirements of members of the board that may be adopted  
14 under general law by any other school district. Before adopting a  
15 rule under this subsection, the board must:

16 (1) hold a public hearing at which registered voters  
17 of the district are given an opportunity to comment on the proposed  
18 rule; and

19 (2) not later than the seventh day before the date of  
20 the hearing, publish notice of the subject matter, location, date,  
21 and time of the hearing in a newspaper of general circulation in the  
22 district.

23 (e) The board of trustees of a school district described by  
24 Subsection (a) shall order and hold an election in the district to

1 approve any rule adopted by the district under Subsection (d). A  
2 rule adopted by the district under Subsection (d) is not effective  
3 until it is approved by a majority of the district residents voting  
4 at an election held under this subsection. An election under this  
5 subsection must be held on the first uniform election date that  
6 occurs after the date the rule is adopted. For an election under  
7 this subsection, the ballot shall be prepared to permit voting for  
8 or against the proposition: "Approving a rule adopted by the board  
9 of trustees of (name of school district) that governs the  
10 requirement of members of the board concerning (insert description  
11 of rule)."

12         SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2009.