

By: Alonzo

H.B. No. 2898

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the governing boards of certain junior college districts.

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

SECTION 1. Subchapter E, Chapter 130, Education Code, is amended by adding Section 130.0824 to read as follows:

Sec. 130.0824. NINE-MEMBER GOVERNING BOARD FOR CERTAIN COUNTYWIDE JUNIOR COLLEGE DISTRICTS. (a) Notwithstanding any other provision of this subchapter, a countywide junior college district that contains a municipality with a population of more than 1.8 million residents shall be managed by a governing board composed of nine members elected from single-member trustee districts.

(b) Sections 130.0821(b), (c), (e), (f), and (g) apply to a junior college district described by Subsection (a).

SECTION 2. (a) Not later than the 90th day before the date of the first regular election of members of the governing board of a countywide junior college district subject to Section 130.0824, Education Code, as added by this Act, that occurs after January 1, 2010, the governing board shall divide the district into the number of single-member trustee districts prescribed by Section 130.0824.

(b) The governing board by resolution or order shall assign one of the members of the governing board holding office on the date the district is divided as provided by Subsection (a) of this section to represent each of those trustee districts. A member of

1 the governing board who holds office on the date of the assignment
2 may represent the trustee district to which the member is assigned
3 for the remainder of the member's term without having residency in
4 that trustee district. As a member's term expires or a vacancy
5 occurs, a successor to a trustee, including a successor who is the
6 incumbent, must reside in the trustee district that the successor
7 seeks to represent.

8 (c) In the case of a junior college district that is
9 increasing the number of members of the district's governing board
10 from seven to nine members to comply with Section 130.0824,
11 Education Code, as added by this Act, after assignment of incumbent
12 trustees under Subsection (b) of this section, the board positions
13 representing the two trustee districts not represented by an
14 incumbent trustee are considered to be vacant. Each vacancy shall
15 be filled by appointment by resolution or order by the board. One
16 of the members appointed to fill a vacancy shall be appointed to
17 serve until the first regularly scheduled election at which two
18 members otherwise would have been elected, and the other shall be
19 appointed to serve until the second regularly scheduled election at
20 which two members otherwise would have been elected, so that three
21 members are elected for six-year terms at each election.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2009.