

By: Hancock

H.B. No. 4008

A BILL TO BE ENTITLED

AN ACT

relating to minimum voter turnout requirements for adoption or amendment of a home-rule school district charter.

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

SECTION 1. Section 12.022, Education Code, is amended to read as follows:

Sec. 12.022. MINIMUM VOTER TURNOUT REQUIRED FOR CHARTER AMENDMENT. (a) ~~[An election on the adoption of a proposed home-rule school district charter has no effect unless at least 25 percent of the registered voters of the district vote in the election in which the adoption of the charter is on the ballot.~~

~~[(b)]~~ An election on the adoption of a proposed amendment to a home-rule school district charter has no effect unless at least five ~~[20]~~ percent of the registered voters of the district vote in the election in which the adoption of the amendment is on the ballot.

(b) ~~[(c)]~~ If the required number of voters prescribed by Subsection (a) ~~[or (b)]~~ do not vote in the election, the board of trustees shall order an election on the issue to be held on the first uniform election date:

(1) that occurs at least 45 days after the date the election is ordered; and

(2) on which one or more elections are to be held, the combination of which covers all of the territory of the school

1 district.

2 (c) [~~(d)~~] If the required number of voters prescribed by
3 Subsection (a) [~~or (b)~~] do not vote at an election ordered as
4 required by Subsection (b) [~~(c)~~], the board of trustees may
5 continue to order elections on the issue in accordance with
6 Subsection (b) [~~(c)~~] until the required minimum voter turnout is
7 achieved.

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