

## **BILL ANALYSIS**

Senate Research Center  
82R13278 JRJ-D

H.B. 3078  
By: Gallego (Uresti)  
State Affairs  
5/13/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In certain rural counties in Texas, it is difficult to find candidates to run for a seat on the local school board or for other local offices due to the sparse population and the scarcity of potential candidates willing to run for office. As a consequence, a political subdivision may have little or no representation, or a sitting official may be pressured to remain in office beyond his or her term. H.B. 3078 proposes to address this situation by revising residency requirements for certain elective offices of certain political subdivisions.

H.B. 3078 amends the Election Code to establish that a candidate for the governing body of an independent school district or a municipality is eligible for any position of the governing body if the candidate resides anywhere in the territory from which any member of the governing body is elected. The bill makes this provision applicable only to a political subdivision that is located in a county with territory greater than 4,600 square miles and that is either an independent school district servicing less than 1,500 students or a municipality with a population of less than 6,000.

H.B. 3078 amends current law relating to the residency requirement for certain elective offices of certain political subdivisions.

### **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 A, Chapter 141, Election Code, by adding Section 141.005, as follows:

Sec. 141.005. RESIDENCY REQUIREMENT IN CERTAIN POLITICAL SUBDIVISIONS. (a) Provides that this section applies only to a political subdivision that is located in a county with territory greater than 4,600 square miles; and is either an independent school district servicing less than 1,500 students, or a municipality with a population of less than 6,000.

(b) Provides that, notwithstanding Section 141.001 (Eligibility Requirements for Public Office), a municipal charter provision, or any other law, a candidate for the governing body of an independent school district or a municipality is eligible for any position of the governing body if the candidate resides anywhere in the territory from which any member of the governing body is elected.

SECTION 2. Effective date: September 1, 2011.