

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 4, 2013

TO: Honorable Geanie Morrison, Chair, House Committee on Elections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB179 by Márquez (Relating to the recall of members of school district boards of trustees.), **Committee Report 1st House, Substituted**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would require a school district board of trustees to order a recall election for one of its members if the board was presented with a petition for a recall election for that member signed by a number of registered voters residing in the school district equal to or greater than 20 percent of the number of votes cast in the most recent general election for trustees in the school district.

Following receipt of a valid petition, the school district would be required to request a hearing and determination with a district court. After notification from the district court that a recall election could proceed, the school district would have 15 days to either certify the petition or find the petition invalid. Within 30 days after certification of a valid petition, the board would be required to order that a recall election be held on the first Saturday after the 62nd day the election was ordered. If the majority of votes in a recall election were for the recall of the trustee, then the trustee's office would become vacant, and the board could appoint a new trustee until the next trustee election or hold a special election. If a majority of the board members were recalled in a single recall election, the trustees would be required to order a special election within 30 days of the election.

If the board failed to comply, the county judge would be required to order a special election. Special election expenses would be paid by the district.

The bill would take effect January 1, 2014, contingent on the approval by voters of a constitutional amendment authorizing elections for the recall of board trustees.

Local Government Impact

Administrative costs to order and conduct recall elections would vary depending on the number of recall elections required by valid petitions. Each petition could address only one trustee, so multiple petitions could be submitted, causing the ordering of multiple elections. Special elections could also add to local administrative costs if the board chose to conduct special elections instead of appointing members for vacancies.

No significant fiscal impact on local court systems is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 701 Central Education Agency

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