87R6132 JRJ-D

By:  King of Uvalde H.B. No. 2645

A BILL TO BE ENTITLED

AN ACT

relating to the election of certain junior college district trustees by plurality vote.

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

SECTION 1.  Section 130.082, Education Code, is amended by amending Subsection (g) and adding Subsection (g-1) to read as follows:

(g)  The board shall [~~designate a~~] number [~~for~~] the positions on [~~position held by each member of~~] the board[~~, from one upward~~] in the [~~consecutive numerical~~] order in which the [~~such manner that the lowest numbers shall be assigned to the members whose~~] terms of office of the members expire [~~in the shortest length of time~~], provided that any [~~such~~] position number designations on existing boards under existing law on [~~at~~] the effective date of this act or on the effective date of an amendment to this subsection shall remain in effect. At each election candidates must [~~shall~~] be voted upon and be elected separately for each position on the board, and the name of each candidate must [~~shall~~] be placed on the official ballot according to the number of the position for which the candidate [~~he or she~~] is running. Except as provided by Subsection (g-1), the [~~A~~] candidate receiving a majority of the votes cast [~~for all candidates~~] for each respective [~~a~~] position to be filled at the election is [~~shall be declared~~] elected. If no candidate receives [~~such~~] a majority, then the two candidates receiving the highest number of votes shall run against each other for the position. The run-off election for all positions shall be held on a date that complies with law in the same manner [~~and shall be ordered, notice thereof given, and held,~~] as provided [~~herein~~] for regular elections. The board shall place a candidate's name [~~Any resident, qualified elector of the district may have his or her name placed as a candidate~~] on the official ballot for any position to be filled at each regular election if the candidate is a resident of the district, is a qualified elector of the district, and files [~~by filing~~] with the secretary of the board a written application [~~therefor~~] signed by the applicant that complies with Section 144.005, Election Code. The [~~, not later than 5 p.m. of the 45th day before the date of the election. An application may not be filed earlier than the 30th day before the date of the filing deadline. Such~~] application must state the number of the position [~~for which he or she is a candidate,~~] or the name of the incumbent member of the board holding the position for which the candidate [~~he or she~~] desires to run. The order [~~location~~] on the ballot of the names of candidates for each position shall be chosen by lot by the board. A candidate shall be eligible to run for only one position at each election.

(g-1)  The board of trustees of a junior college district located in a county located on the Texas-Mexico border that has a population of less than 300,000 and contains one or more municipalities with a population of 200,000 or more may by resolution provide, not later than the 180th day before the date of an election, that a candidate receiving the highest number of votes cast for each respective position to be filled at the election is elected. A resolution adopted under this subsection is effective for subsequent elections until rescinded by a subsequent resolution adopted not later than the 180th day before the date of the first election to which the rescission applies.

SECTION 2.  The change in law made by this Act applies only to an election ordered on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.