

By: Davis

H.B. No. 1612

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the composition of districts for the election of  
3 members of the State Board of Education.

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

5 SECTION 1. The purpose of this Act is to fulfill the  
6 legislature's duty to redraw the districts for the election of the  
7 members of the State Board of Education in compliance with the  
8 United States and Texas Constitutions and applicable federal law  
9 following the publication of the 2020 federal decennial census.

10 SECTION 2. (a) The districts from which the members of the  
11 State Board of Education are elected are the districts as provided  
12 by law and used for the election of the members of the State Board of  
13 Education at the 2018 and 2020 general elections except as those  
14 districts are changed by Section 3 of this Act.

15 (b) One member is elected from each district established by  
16 this Act.

17 (c) For purposes of Section 7.104, Education Code, this Act  
18 constitutes a decennial reapportionment.

19 SECTION 3. (a) Glasscock County is transferred from State  
20 Board of Education District 1 to State Board of Education District  
21 15.

22 (b) Bexar County Precinct 4153 is transferred from State  
23 Board of Education District 5 to State Board of Education District  
24 3.

1 (c) Caldwell County is transferred from State Board of  
2 Education District 5 to State Board of Education District 10.

3 (d) San Augustine County is transferred from State Board of  
4 Education District 7 to State Board of Education District 9.

5 SECTION 4. In this Act, "tract," "block group," and "block"  
6 mean the geographic areas identified by those terms on the 2010  
7 Census TIGER/Line Shapefiles, prepared by the federal Bureau of the  
8 Census for the Twenty-third Decennial Census of the United States,  
9 enumerated as of April 1, 2010.

10 SECTION 5. It is the intent of the legislature that if any  
11 county, tract, block group, block, or other geographic area has  
12 erroneously been left out of this Act, a court reviewing this Act  
13 should include that area in the appropriate district in accordance  
14 with the intent of the legislature, using any available evidence of  
15 that intent, including evidence such as that used by the Supreme  
16 Court of Texas in Smith v. Patterson, 111 Tex. 535, 242 S.W. 749  
17 (1922).

18 SECTION 6. (a) This Act supersedes all previous enactments  
19 or orders adopting districts for the State Board of Education. All  
20 previous acts of the legislature adopting districts for the State  
21 Board of Education are repealed.

22 (b) Chapter 72 (H.B. 600), Acts of the 82nd Legislature,  
23 Regular Session, 2011, is repealed.

24 SECTION 7. The districts established in this Act apply to  
25 the election of the members of the State Board of Education  
26 beginning with the primary and general elections in 2022 for  
27 members of the board in 2023. This Act does not affect the

1 membership or districts of the board before January 1, 2023.

2           SECTION 8. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2021.