By: King of Uvalde   H.B. No. 2645

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the election of certain junior college district

3 trustees by plurality vote.

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

5   SECTION 1. Section 130.082, Education Code, is amended by

6 amending Subsection (g) and adding Subsection (g-1) to read as

7 follows:

8   (g)   The board shall [designate a] number [for] the positions

9 on [position held by each member of] the board[, from one upward] in

10 the [consecutive numerical] order in which the [such manner that

11 the lowest numbers shall be assigned to the members whose] terms of

12 office of the members expire [in the shortest length of time],

13 provided that any [such] position number designations on existing

14 boards under existing law on [at] the effective date of this act or

15 on the effective date of an amendment to this subsection shall

16 remain in effect. At each election candidates must [shall] be voted

17 upon and be elected separately for each position on the board, and

18 the name of each candidate must [shall] be placed on the official

19 ballot according to the number of the position for which the

20 candidate [he or she] is running. Except as provided by Subsection

21 (g-1), the [A] candidate receiving a majority of the votes cast [for

22 all candidates] for each respective [a] position to be filled at the

23 election is [shall be declared] elected. If no candidate receives

24 [such] a majority, then the two candidates receiving the highest

1 number of votes shall run against each other for the position. The

2 run-off election for all positions shall be held on a date that

3 complies with law in the same manner [and shall be ordered, notice

4 thereof given, and held,] as provided [herein] for regular

5 elections. The board shall place a candidate's name [Any resident,

6 qualified elector of the district may have his or her name placed as

7 a candidate] on the official ballot for any position to be filled at

8 each regular election if the candidate is a resident of the

9 district, is a qualified elector of the district, and files [by

10 filing] with the secretary of the board a written application

11 [therefor] signed by the applicant that complies with Section

12 144.005, Election Code. The [, not later than 5 p.m. of the 45th day

13 before the date of the election. An application may not be filed

14 earlier than the 30th day before the date of the filing deadline.

15 Such] application must state the number of the position [for which

16 he or she is a candidate,] or the name of the incumbent member of the

17 board holding the position for which the candidate [he or she]

18 desires to run. The order [location] on the ballot of the names of

19 candidates for each position shall be chosen by lot by the board. A

20 candidate shall be eligible to run for only one position at each

21 election.

22   (g-1) The board of trustees of a junior college district

23 located in a county located on the Texas-Mexico border that has a

24 population of less than 300,000 and contains one or more

25 municipalities with a population of 200,000 or more may by

26 resolution provide, not later than the 180th day before the date of

27 an election, that a candidate receiving the highest number of votes

1 cast for each respective position to be filled at the election is

2 elected. A resolution adopted under this subsection is effective

3 for subsequent elections until rescinded by a subsequent resolution

4 adopted not later than the 180th day before the date of the first

5 election to which the rescission applies.

6   SECTION 2. The change in law made by this Act applies only

7 to an election ordered on or after the effective date of this Act.

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