

BILL ANALYSIS

C.S.H.B. 3546
By: Martinez
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that for certain independent school districts, trustees serve three-year terms with elections held in May but not annually, which violates a state statute requiring elections for trustees with three-year terms to be held annually. The bill author has also informed the committee that while some districts have attempted a shift to annual elections to satisfy this requirement, there is a conflict because they are also required to hold the trustee election on the same date as the election for members of the governing body of a municipality located in the district, but the municipality does not hold elections annually. C.S.H.B. 3546 seeks to address this issue, conserve financial resources, and encourage higher voter turnout by authorizing an independent school district to make certain changes regarding the length of the terms of its trustees and the date on which it holds its general election for officers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3546 amends the Education Code to authorize the board of trustees of an independent school district (ISD), not later than December 31, 2030, to adopt a resolution changing the length of the terms of its trustees until the date the November election is canvassed. The bill requires the resolution to provide for staggered terms of either three or four years and to specify the manner in which the transition from the length of the former term to the modified term is made. The transition must begin with the first regular election for trustees that occurs after the board adopts the resolution, and a trustee who serves on the date the resolution is adopted serves the remainder of that term. These provisions expire on January 1, 2036.

C.S.H.B. 3546 repeals provisions relating to the applicability and expiration of a previously established authorization for certain ISD boards to adopt a resolution changing the length of trustee terms for which the deadline to do so has passed.

C.S.H.B. 3546 amends the Election Code to make the authority of certain ISDs to change the date on which they hold their general election for officers to the November uniform election date applicable to the governing body of any ISD. The bill repeals the provision establishing that this authority expires on January 1, 2029, with respect to the governing body of an ISD located in a county that borders the United Mexican States and that has a population of at least 450,000 and not more than 870,000.

C.S.H.B. 3546 prevails, to the extent of any conflict, over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

C.S.H.B. 3546 repeals the following provisions:

- Sections 11.059(f) and (g), Education Code; and
- Section 41.0052(a-1), Election Code, as added by Chapter 1160 (S.B. 1131), Acts of the 88th Legislature, Regular Session, 2023.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3546 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions absent from the introduced that do the following:

- establish a temporary authorization for the board of trustees of an ISD to adopt a certain resolution changing the length of the terms of its trustees until the date the November election is canvassed; and
- repeal provisions relating to the applicability and expiration of a previously established authorization for certain ISD boards to adopt a resolution changing the length of trustee terms for which the deadline to do so has passed.