BILL ANALYSIS

BACKGROUND AND PURPOSE

Interested parties note the cost involved in certain elections, such as run-off elections, for junior college district trustee for both the candidates and the college. C.S.H.B. 961 seeks to reduce those costs by authorizing the election of trustees by plurality vote.

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. 961 amends the Education Code to authorize the board of trustees of a certain junior college district, not later than the 180th day before the date of a certain trustee election, to provide by resolution that a candidate must receive a plurality of the votes cast for a position to be filled at the election. The bill makes such a resolution effective for subsequent elections until rescinded by a subsequent resolution adopted not later than the 180th day before the date of the first election to which the rescission applies.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 961 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
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	SECTION 1. Section 130.082, Education Code, is amended by adding Subsection (g-1) to read as follows:

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. The [A] candidate receiving the highest number of [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. The board shall place a candidate's name [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 and shall be ordered, notice thereof given, and held, as provided herein for regular elections. 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 by resolution may provide,

(g-1) The board by resolution may provide,

not later than the 180th day before the date of an election, that a candidate must receive a majority of the votes cast for a position to be filled at the election under Subsection (g). 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 to Section 130.082(g), Education Code, applies only to an election ordered on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2017.

not later than the 180th day before the date of an election, that a candidate must receive a plurality of the votes cast for a position to be filled at the election under Subsection (g). 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.

No equivalent provision.

SECTION 2. Same as introduced version.