

By: Rodriguez of Bexar

H.B. No. 961

A BILL TO BE ENTITLED

AN ACT

relating to the election of 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. 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~~

1 ~~the two candidates receiving the highest number of votes shall run~~
2 ~~against each other for the position. The run-off election for all~~
3 ~~positions shall be held on a date that complies with law and shall~~
4 ~~be ordered, notice thereof given, and held, as provided herein for~~
5 ~~regular elections. Any resident, qualified elector of the district~~
6 ~~may have his or her name placed as a candidate] on the official~~
7 ballot for any position to be filled at each regular election if the
8 candidate is a resident of the district, is a qualified elector of
9 the district, and files [by filing] with the secretary of the board
10 a written application ~~[therefor]~~ signed by the applicant that
11 complies with Section 144.005, Election Code. The [, not later than
12 5 p.m. of the 45th day before the date of the election. An
13 application may not be filed earlier than the 30th day before the
14 date of the filing deadline. Such] application must state the
15 number of the position ~~[for which he or she is a candidate,]~~ or the
16 name of the incumbent member of the board holding the position for
17 which the candidate ~~[he or she]~~ desires to run. The order
18 ~~[location]~~ on the ballot of the names of candidates for each
19 position shall be chosen by lot by the board. A candidate shall be
20 eligible to run for only one position at each election.

21 (g-1) The board by resolution may provide, not later than the
22 180th day before the date of an election, that a candidate must
23 receive a majority of the votes cast for a position to be filled at
24 the election under Subsection (g). A resolution adopted under this
25 subsection is effective for subsequent elections until rescinded by
26 a subsequent resolution adopted not later than the 180th day before
27 the date of the first election to which the rescission applies.

1 SECTION 2. The change in law made by this Act to Section
2 [130.082\(g\)](#), Education Code, applies only to an election ordered on
3 or after the effective date of this Act.

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