

School Board Trustee (Education Code, Chapter 11)

- Residence -- 1 year in state and 6 months in school district prior to filing deadline (Texas Elec. Code, Section 141.001(a); Brown v. Patterson, 609 SW 2nd 287)
- Age -- 18 years
- Must be a registered voter in territory elected from by the filing deadline*
- In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), must not be convicted (finally convicted or otherwise) of specific crimes in Education Code in time to serve. Sec. 11.066

***House Bill 484 (2015) amends Election Code Section 141.001 to provide a new general rule (for most offices) that a candidate must be a registered voter of the territory elected from as of the filing deadline (unless outside law conflicts).**
H.B. No. 484

AN ACT

relating to the eligibility of a person to be a candidate for or holder of certain public elective offices.

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

SECTION 1. Section 141.001, Election Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

- (a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:
- (1) be a United States citizen;
 - (2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
 - (3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (A) totally mentally incapacitated; or
 - (B) partially mentally incapacitated without the right to vote;
 - (4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
 - (5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
 - (A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (B) for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made; [and]

(6) on the date described by Subdivision (5), be registered to vote in the territory from which the office is elected; and

(7) satisfy any other eligibility requirements prescribed by law for the office.

(d) Subsection (a)(6) does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

SECTION 2. Chapter 601, Government Code, is amended by adding Section 601.009 to read as follows:

Sec. 601.009. ELECTED OFFICER MUST BE REGISTERED VOTER.

(a) A person may not qualify for a public elective office unless the person is a registered voter.

(b) Subsection (a) does not apply to an office for which the federal or state constitution prescribes exclusive qualification requirements.

(c) Subsection (a) does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

SECTION 3. The changes in law made by this Act apply only to the eligibility and qualification requirements for a candidate or officer whose term of office will begin on or after the effective date of this Act. The eligibility and qualification requirements for a candidate or officer whose term of office will begin before the effective date of this Act are governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Internet Posting Requirements for Political Subdivisions

Mailing Address of Political Subdivision:	Telephone Number:	E-Mail Address:
1900 East Price Road Brownsville, TX 78521	(956) 698-0003	pperez@bisd.us

Elected Officers of Political Subdivision	Year Elected Officer's Term Expires
Drue Brown (Position 1)	2022
Denise Garza (Position 2)	2022
Dr. Prisci Roca Tipton (Position 4)	2022

Date of Next Officer Election	Location of Next Officer Election
Tuesday, November 8, 2022	1900 East Price Road Brownsville, TX 78521

Candidate Eligibility Requirements	Deadline to File Candidate Application
See attached	Monday, August 22, 2022 @ 5:00 p.m.

Notice and Record of Meeting of Political Subdivision's Governing Body (If Applicable to Political Subdivision):

Requisitos de Publicación en Internet Para Subdivisiones Políticas

Dirección Postal de Subdivisión Política: 1900 East Price Road Brownsville, TX 78521	Número de Teléfono: 956 698-0003	Dirección de Correo Electrónico: pperez@bisd.us
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Oficiales Electos de la Subdivisión Política	Año en que Expira el Mandato del Oficial Electo
Drue Brown (Posición 1)	2022
Denise Garza (Posición 2)	2022
Dr. Prisci Roca Tipton (Posición 4)	2022

Fecha de la Próxima Elección de Oficial	Ubicación de la Próxima Elección de Oficial
Martes, 8 de noviembre de 2022	1900 East Price Road Brownsville, Texas 78521

Requisitos de Elegibilidad del Candidato	Fecha Límite Para Presentar la Solicitud de Candidato
Ver adjunto	Lunes 22 de agosto de 2022 a las 5:00 p.m.

Aviso y Registro de Reunión del Órgano Rector de la Subdivisión Política (Si Corresponde a la Subdivisión Política):

General Instructions

Please see the following general instructions regarding completion of the internet posting requirements for political subdivisions:

Political Subdivision's Contact Information: List the political subdivision's contact information, including a mailing address, telephone number, and e-mail address.

Elected Officer of the Political Subdivision: List the names of each elected or appointed public elective officer within the political subdivision and the year the officer's term expires. For counties, this includes providing information regarding county and precinct officers. Counties are not required to list the names of statewide or district elective officers.

Date and Location of the Next Election for Officers of the Political Subdivision: The political subdivision should provide the address of the main administrative office (i.e. the location a person would expect to file candidate applications). Although political subdivisions must include information regarding the date of the next general election for officers, the best practice would include posting the date of a special election for an officer as soon as possible after such special election is ordered. Political subdivisions may also provide a link to the Notice of Election once same has been issued for an election.

Requirements and Deadline for Filing for Candidacy: Please note, the requirements and deadline for filing for candidacy of each elected office of the political subdivision must be continuously posted for at least one year before the election day for the office. The online posting need not refer to Ethics Commission filing requirements for candidates.

Regarding the candidacy deadline, the best practice would be to include the candidate filing deadline for general elections, the candidate filing deadline for any special elections which have been ordered to fill a vacancy, and the write-in candidate deadline.

In regards to the requirements for filing for candidacy, at a minimum, the political subdivision must provide a statement of candidate requirements including form, content, and procedure. This includes, for example: (a) the type of candidate application form needed, along with a link to the candidate application, and (b) information regarding whether there is a candidate filing fee and how much, or whether there is a petition in lieu of a filing fee available, as well as a link to such petition.

The political subdivision must additionally post the qualifications for office which are specific to your entity. This includes, for example, how long the candidate must be a resident of the state and/or the territory elected from, whether the candidate needs to be a registered voter, and other pertinent candidate eligibility requirements relevant to the political subdivision. The political subdivision may also provide a link to Section 141.001 of the Election Code, if applicable (which details eligibility requirements for public office), and/or also provide a link to other sections of relevant codes or a city's charter, which may also provide specific candidate eligibility requirements for the entity.

Requirements for Posting Notice of Meetings and Record of Meetings of Political Subdivision's Governing Body: Our office recommends consulting with your political subdivision's local counsel regarding this particular posting requirement.

The requirements for posting notice of meetings and record of meetings of the political subdivision's governing body does not apply to:

- (1) a county with a population of less than 10,000;
- (2) a municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or
- (3) a school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000.

Please see the following guides available on the Secretary of State's website that your political subdivision may find helpful in providing and posting candidate information:

[Terms, Qualifications, and Vacancies](#)

[VR for Candidates \(HB 484\) FAQ](#)

[Candidacy for Local Political Subdivisions](#)

[2020 Candidate's Guide – Running for Federal, State, District or County offices.](#)

[Running for Local Offices](#)

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