

SUBJECT: Revising ballot language requirements in school bond elections

COMMITTEE: Pensions, Investments, and Financial Services — favorable, without amendment

VOTE: 7 ayes — Murphy, Vo, Capriglione, Flynn, Gervin-Hawkins, Gutierrez, Stephenson

2 nays — Lambert, Wu

2 absent — Leach, Longoria

SENATE VOTE: On final passage, April 11 — 31-0

WITNESSES: For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Amanda List, Hunton Andrews Kurth; Julia Parenteau, Texas Realtors)

Against — (*Registered, but did not testify*: Jamaal Smith and Bill Kelly, City of Houston Mayor's Office; Will Holleman, Texas Association of School Boards; Buck Gilcrease, Texas School Alliance; Alexis Tatum, Travis County Commissioners Court)

On — James Hernandez, Harris County; Ruben Longoria, Texas Association of School Boards; Johnny Hill, Texas Association of School Business Officials; Jonathan Frels; (*Registered, but did not testify*: Colby Nichols, Texas Association of School Administrators)

DIGEST: SB 30 would require the governing board of an independent school district to put forward separate ballot propositions to authorize bonds for the construction, improvement, or renovation of:

- a stadium;
- a natatorium;
- a recreational facility other than a gymnasium;

- a performing arts facility; and
- housing for teachers as determined by the district to be necessary to have a sufficient number of teachers for the district.

The bill would require the question of whether to approve the issuance of bonds for one of the above listed buildings to be a separate ballot proposition regardless of whether that building was proposed as part of a complex or building containing traditional classroom facilities. Each ballot proposition would have to state the principal amount of the bonds to be issued that constituted the cost for construction of that portion of the building or complex attributable to one of the buildings listed above or to the traditional classroom facilities, as applicable.

The bill also would require bonds for an acquisition or update of technology equipment, other than equipment used for school security purposes, to be stated in a separate proposition.

SB 30 would require a plain language description of the single specific purpose for which the bonds were to be authorized. Each single specific purpose for which bonds requiring voter approval were to be issued would have to be printed on the ballot as a separate proposition.

Notwithstanding the other statutory requirements for school bond ballot proposition language, the question of whether to approve the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district and the purchase of necessary sites for school buildings other than those listed above could be submitted to the voters in a single ballot proposition.

The bill would take effect September 1, 2019, and would apply only to an election ordered after that date.

**SUPPORTERS
SAY:**

SB 30 would make school bond elections more transparent, giving voters the information needed to understand the purposes of the bonds they were being asked to approve.

Taxing entities sometimes combine many purposes into single-ballot bonds, sometimes with values exceeding a billion dollars. This bill would give voters greater understanding and control over the authorization of bonded debt for public schools.

The bill's requirement that the single specific purpose of the bond be stated in plain language on the ballot is important for ballot transparency so that voters can make an informed voting decision.

SB 30 would not require each individual school project to be listed in a separate proposition. Accordingly, a school bond election would not have fragmented or unequal results, authorizing some school buildings but not others within a single district. The bill would not require taxing entities to list out propositions by project but instead by purpose.

SB 30 and other similar legislation are working toward the same goals of informing voters. HB 477 would provide more in-depth information for voters to review prior to elections and SB 30 would add a minimal amount of extra information to the ballot to make voters aware of the specific purpose of the bond.

**OPPONENTS
SAY:**

SB 30 would present a less nuanced approach to the issue of voter education than other proposed legislation. Other approaches, such as that in HB 477, would better achieve the goals of financial transparency and open government by requiring a voter information document to be publicly available, rather than expanding the language on the bond election ballot itself. The voter information document would inform voters while avoiding the potential for voter fatigue and ballot drop off.