

BOARD MEMBERS  
ELIGIBILITY/QUALIFICATIONS

BBA  
(LEGAL)

ELIGIBILITY

To be eligible to be a candidate for, or elected or appointed to, the office of Board member, 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 and the person's mental capacity has not subsequently been completely restored by a final judgment of a court exercising probate jurisdiction; or
  - b. Partially mentally incapacitated without the right to vote and the person's guardianship has not been modified to include the right to vote or the person's mental capacity has not been completely restored by a subsequent final judgment of a court exercising probate jurisdiction.
4. Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities. *Atty. Gen. Op. LO 96-114 (1996)*
5. Be a resident of Texas and the territory from which the office is elected for the period of time described at CANDIDATE S RESIDENCY TERM, below. *Tex. Const. Art. XVI, Sec. 14*

*Election Code 1.020, 141.001(a); Brown v. Patterson, 609 S.W.2d 287 (Tex. Civ. App. Dallas 1980, no writ)*

QUALIFIED VOTER

A person may not be elected Board member of the District unless the person is a qualified voter. *Education Code 11.061(b)*

"Qualified voter" means a person who:

1. Is 18 years of age or older;
2. Is a United States citizen;
3. Has not been determined by a final judgment of a court exercising probate jurisdiction to be:
  - a. Totally mentally incapacitated and the person's mental capacity has not subsequently been completely restored by a final judgment of a court exercising probate jurisdiction; or



territory from which the office is elected for six months, prior to the day on which the appointment is made.

*Election Code 141.001(a)(5)*

“Residence” shall mean domicile, one’s home and fixed place of habitation to which one intends to return after any temporary absence; one does not lose one’s residence status by leaving to go to another place for temporary purposes only. A person does not acquire a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person’s home. Residence shall be determined in accordance with the common-