

By: Bhojani

H.B. No. 4621

A BILL TO BE ENTITLED

AN ACT

relating to the authority to cancel an election on a measure.

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

SECTION 1. The heading to Section 2.081, Election Code, is amended to read as follows:

Sec. 2.081. CANCELLATION OF [~~MOOT~~] MEASURE.

SECTION 2. Section 2.081, Election Code, is amended by adding Subsection (a-1) and amending Subsections (b) and (c) to read as follows:

(a-1) If not earlier than the 90th day before an election, regardless of the outcome of the election, the authority that ordered the election on the measure may remove the measure from the ballot.

(b) If a measure is removed from the ballot [~~declared moot~~] under this section [~~and is removed from the ballot~~], the authority holding the election shall post notice of the declaration during early voting by personal appearance and on election day, at each polling place that would have been used for the election on the measure.

(c) A county election officer, as defined by Section 31.091, may use a single combined notice of cancellation under Subsection (b) for all authorities:

(1) for which the officer provides election services under contract; and

1 (2) that remove a measure from the ballot [~~declare an~~
2 ~~election meet~~] under Subsection (a) or (a-1).

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2023.