

By: Bettencourt

S.B. No. 1912

A BILL TO BE ENTITLED

AN ACT

relating to the review of ballot proposition language for certain political subdivision elections.

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

SECTION 1. Subchapter C, Chapter 52, Election Code, is amended by adding Section 52.0721 to read as follows:

Sec. 52.0721. REVIEW OF BALLOT PROPOSITION LANGUAGE. (a) This section does not apply to an election for which a statute provides the ballot proposition language.

(b) A political subdivision seeking to hold an election on a measure shall submit to the attorney general:

(1) the ballot proposition language; and

(2) a brief statement on the purpose of the proposition.

(c) On receiving a submission under Subsection (b), the attorney general shall review the ballot proposition language before the election may be held.

(d) If the attorney general finds the proposition is consistent with state law, the attorney general shall approve the language of the proposition for the ballot.

(e) If the attorney general finds the proposition is not consistent with state law, the attorney general shall disapprove the language of the proposition. Language that has been disapproved under this subsection may not be used on the ballot at

1 the election.

2 (f) If the attorney general does not approve or disapprove  
3 the language of a proposition before the 40th day after the  
4 proposition was submitted, the proposition is approved for use on  
5 the ballot.

6 (g) If a proposition is disapproved under Subsection (e),  
7 the political subdivision that submitted the proposition may submit  
8 alternate language in the same manner as the initial submission.

9 (h) A political subdivision may not submit a proposition or  
10 alternate language under this section after the 120th day before  
11 the date of the election.

12 (i) To the extent of a conflict between this section and any  
13 provision of law requiring a political subdivision to hold an  
14 election on a measure within a certain period, this section  
15 controls.

16 (j) The attorney general may adopt rules to implement this  
17 section.

18 SECTION 2. The change in law made by this Act applies only  
19 to an election ordered on or after the effective date of this Act.  
20 An election ordered before the effective date of this Act is  
21 governed by the law in effect when the election was ordered, and the  
22 former law is continued in effect for that purpose.

23 SECTION 3. This Act takes effect September 1, 2023.