

BILL ANALYSIS

C.S.H.B. 662
By: Van Arsdale
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

When a municipality formally notifies residents of its intent to annex them, those residents cannot vote in municipal elections until the annexation actually occurs.

C.S.H.B. 662 allows residents living in an unincorporated area which has been put into a municipality's annexation plan to vote in municipal elections (other than bond elections) and provides for the notification of eligibility to such residents.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 43, Local Government Code, by adding Section 43.0525 as follows:

Allows residents of an area who are included in (and have been notified in writing of their status in) a municipal annexation plan the ability to vote in any municipal election (other than a bond election) as if they were already residents of the municipal area.

Requires the municipality to seek preclearance from the federal government within 30 days after the date a resident in an annexation plan is entitled to vote.

Provides that if a municipality amends its annexation plan to exclude an area, the residents of that area may not vote in a municipal election held after the municipality provides written notice to the residents that they are excluded from the plan.

Provides that if a member of the municipality's governing body is not elected by the entire municipality (i.e., single member district), then the municipality must designate into which district the area to be annexed falls.

Provides that after the 15th day before but at least five days prior to the date of the first election to be held where residents included in an annexation plan are entitled to vote, the municipality must publish a quarter-page advertisement in a newspaper of general circulation in the municipality to notify the residents that they are eligible to vote in the upcoming election. The advertisement will list the location of all polling places for the residents.

SECTION 2. Provides that regardless of when an area was included in a municipal annexation plan, its residents are entitled to vote under the new provisions added by this bill.

SECTION 3. Effective date.

EFFECTIVE DATE

September 1, 2003 unless the Act receives the vote necessary for immediate effect.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 662 requires the municipality to seek preclearance from the federal government within 30 days after the date a resident in an annexation plan is entitled to vote.