

By: Van Arsdale

H.B. No. 662

Substitute the following for H.B. No. 662:

By: Howard

C.S.H.B. No. 662

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the right of a resident of an area included in a
3 municipal annexation plan to vote in a municipal election.

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

5 SECTION 1. Subchapter C, Chapter 43, Local Government Code,
6 is amended by adding Section 43.0525 to read as follows:

7 Sec. 43.0525. EFFECT OF ANNEXATION PLAN ON VOTING
8 RIGHTS. (a) A resident of an area included in a municipal
9 annexation plan is entitled to vote, as if the person were a
10 resident of the municipality, in a municipal election, other than a
11 bond election, held after the municipality gives written notice to
12 any person under Section 43.052(f) that the area is included in the
13 municipality's annexation plan. Not later than the 30th day after
14 the date a resident of an area included in a municipal annexation
15 plan is entitled to vote under this subsection, the municipality
16 shall seek preclearance for the annexation plan under Section 5,
17 Voting Rights Act of 1965 (42 U.S.C. Section 1973c), by submitting
18 the annexation plan to the United States attorney general or by
19 filing a declaratory judgment action in the United States District
20 Court for the District of Columbia.

21 (b) If a municipality amends an annexation plan to exclude
22 an area, the residents of that area may not vote in a municipal
23 election held after the municipality gives written notice to any
24 person under Section 43.052(f) that the area is excluded from the

1 municipality's annexation plan.

2 (c) If a member of the municipality's governing body is
3 elected by only the voters residing in a territorial unit that does
4 not include the entire municipality, the municipality shall
5 designate in the annexation plan the territorial unit in which an
6 area proposed to be annexed will be included.

7 (d) On or after the 15th day but before the fifth day before
8 the date of the first election held in which the residents of an
9 area included in a municipal annexation plan are entitled to vote,
10 the municipality shall publish notice in the form of a quarter-page
11 advertisement in a newspaper of general circulation in the
12 municipality notifying the residents that they are eligible to vote
13 in the election and stating the location of all polling places for
14 the residents.

15 SECTION 2. A resident of an area included in a municipal
16 annexation plan is entitled to vote as provided by Section 43.0525,
17 Local Government Code, as added by this Act, in a municipal election
18 ordered after the effective date of this Act, regardless of when the
19 area was included in the municipal annexation plan.

20 SECTION 3. This Act takes effect on the date on which the
21 constitutional amendment proposed by H.J.R. No. 36, 78th
22 Legislature, Regular Session, 2003, takes effect. If that
23 amendment is not approved by the voters, this Act has no effect.