

By: Coleman

H.B. No. 775

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

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

SECTION 1. Subchapter C, Chapter 26, Local Government Code, is amended by adding Section 26.047 to read as follows:

Sec. 26.047. TERM LIMITS IN POPULOUS MUNICIPALITIES.

(a) This section applies only to a municipality with a population of 1.8 million or more.

(b) In this section:

(1) "Governing body of a municipality" includes the mayor of the municipality.

(2) "Municipal term limit" means a provision in a municipal charter or ordinance that imposes a limit on the number of terms or otherwise restricts the length of service a member of the governing body of a municipality may serve on the governing body.

(c) The mayor of a municipality shall order an election in the municipality on the first November uniform election date that occurs in an even-numbered year after this section becomes applicable to the municipality on the question of imposing term limits on the members of the governing body of the municipality.

(d) The ballot at the election must be printed to permit voting for or against the proposition: "Authorizing term limits on a person's service on the governing body of the municipality."

1 (e) If a majority of the votes received at the election
2 favor the proposition, the number of cumulative terms a person may
3 serve on the governing body may be limited by the municipal charter
4 or an ordinance.

5 (f) If less than a majority of the votes received at the
6 election favor the proposition, the municipality may not impose
7 term limits on the members of the governing body.

8 (g) In applying a term limit authorized by this section:

9 (1) a term to which a member of the governing body was
10 elected or appointed before the election held under Subsection (c)
11 is counted only if the member served one-half or more of the term;
12 and

13 (2) a partial term to which a member of the governing
14 body is elected or appointed on or after the date of the election
15 held under Subsection (c) is counted only if the member serves
16 one-half or more of the term.

17 (h) This section expires January 1, 2005.

18 SECTION 2. This Act takes effect September 1, 2003.