

By: Madden

H.B. No. 1598

A BILL TO BE ENTITLED

AN ACT

1
2 relating to local option elections relating to the sale of
3 alcoholic beverages.

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

5 SECTION 1. Section 251.10(a), Alcoholic Beverage Code, is
6 amended to read as follows:

7 (a) The registrar of voters of the county shall check the
8 names of the signers of petitions and the voting precincts in which
9 they reside to determine whether the signers of the petition were
10 qualified voters of the county, justice precinct, or incorporated
11 city or town at the time the petition was issued and shall verify
12 that the signatures and petition comply with Chapter 277, Election
13 Code. The registrar shall certify to the commissioners court the
14 number of qualified voters signing the petition.

15 SECTION 2. Section 251.11(a), Alcoholic Beverage Code, is
16 amended to read as follows:

17 (a) The [~~Except as provided by Subsection (b) or (c), the~~]
18 commissioners court, at its next regular session that occurs on or
19 after the 30th day after the date on which the petition is filed,
20 shall order a local option election to be held on the issue set out
21 in the petition if the petition is filed with the registrar of
22 voters not later than the 60th day [~~30 days~~] after the date on which
23 it is issued and bears [~~in the actual handwriting of the signers the~~
24 ~~following:~~

1 ~~[(1)]~~ the actual signatures of a number of qualified
2 voters of the political subdivision equal to 25 ~~[35]~~ percent of the
3 registered voters in the subdivision who voted in the most recent
4 gubernatorial election~~[+~~

5 ~~[(2) a notation showing the residence address of each~~
6 ~~of the signers; and~~

7 ~~[(3) each signer's voter registration certificate~~
8 ~~number].~~

9 SECTION 3. Section 251.35(c), Alcoholic Beverage Code, is
10 amended to read as follows:

11 (c) Election watchers may be appointed in accordance with
12 general law~~[, but they must be qualified voters of the election~~
13 ~~precinct where they serve].~~

14 SECTION 4. Section 277.001, Election Code, is amended to
15 read as follows:

16 Sec. 277.001. APPLICABILITY OF CHAPTER. This chapter
17 applies to a petition authorized or required to be filed under a law
18 outside this code in connection with an election~~[, except a~~
19 ~~petition for a local option election held under the Alcoholic~~
20 ~~Beverage Code].~~

21 SECTION 5. Sections 251.10(b), 251.11(b), 251.32, 251.33,
22 and 251.35(a), Alcoholic Beverage Code, are repealed.

23 SECTION 6. The changes in law made by this Act apply only to
24 a local option election for which an application for a petition is
25 filed on or after the effective date of this Act. A local option
26 election for which an application for a petition is filed before the
27 effective date of this Act is governed by the law in effect

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1 immediately before that date, and that law is continued in effect
2 for that purpose.

3 SECTION 7. This Act takes effect September 1, 2003.