

By: Goodman

H.B. No. 1659

A BILL TO BE ENTITLED

AN ACT

relating to certain procedures for local option elections.

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

SECTION 1. Section 251.07, Alcoholic Beverage Code, is amended to read as follows:

Sec. 251.07. HEADING AND STATEMENT ON PETITION TO PROHIBIT. Each page of a [~~The~~] petition for a local option election seeking to prohibit the sale of alcoholic beverages of one or more of the various types and alcoholic contents shall be headed "Petition for Local Option Election to Prohibit." Each page of the [~~The~~] petition shall contain a statement just ahead of the signatures of the petitioners, as follows: "It is the hope, purpose and intent of the petitioners whose signatures appear hereon to see prohibited the sale of alcoholic beverages referred to in the issue set out above." Each page of the [~~The~~] petition must clearly state the issue to be voted on, and that issue must be one of those issues set out in Section 251.14 of this code.

SECTION 2. Section 251.08, Alcoholic Beverage Code, is amended to read as follows:

Sec. 251.08. HEADING AND STATEMENT ON PETITION TO LEGALIZE. Each page of a [~~The~~] petition for a local option election seeking to legalize the sale of alcoholic beverages of one or more of the various types and alcoholic contents shall be headed "Petition for Local Option Election to Legalize." Each page of the [~~The~~] petition

1 shall contain a statement just ahead of the signatures of the
2 petitioners, as follows: "It is the hope, purpose and intent of the
3 petitioners whose signatures appear hereon to see legalized the
4 sale of alcoholic beverages referred to in the issue set out above."
5 Each page of the [The] petition must clearly state the issue to be
6 voted on, and that issue must be one of those issues set out in
7 Section 251.14 of this code.

8 SECTION 3. Subchapter A, Chapter 251, Alcoholic Beverage
9 Code, is amended by adding Section 251.101 to read as follows:

10 Sec. 251.101. WITHDRAWAL OF SIGNATURE. (a) A signer may
11 not withdraw the signature from a petition on or after the date the
12 petition is received by the county clerk. Before that date, a
13 signer may withdraw the signature by deleting the signature from
14 the petition or by filing with the county clerk an affidavit
15 requesting that the signature be withdrawn from the petition.

16 (b) A withdrawal affidavit filed by mail is considered to be
17 filed at the time of its receipt by the county clerk.

18 (c) The withdrawal of a signature nullifies the signature on
19 the petition and places the signer in the same position as if the
20 signer had not signed the petition.

21 SECTION 4. Subchapter D, Chapter 251, Alcoholic Beverage
22 Code, is amended by adding Sections 251.82 and 251.83 to read as
23 follows:

24 Sec. 251.82. TRAINING FOR COUNTY ELECTION OFFICIALS. The
25 secretary of state shall conduct a training program for county
26 election officials about the requirements of this chapter.

27 Sec. 251.83. DUTIES OF SECRETARY OF STATE. (a) The

1 secretary of state shall assist and advise county election
2 officials with regard to the application, operation, and
3 interpretation of this chapter.

4 (b) The secretary of state shall provide information to and
5 answer inquiries by election officials relating to the
6 administration of a local option election under this chapter.

7 SECTION 5. This Act takes effect September 1, 2003.