

By: Allen

H.B. No. 2314

A BILL TO BE ENTITLED

AN ACT

relating to certain local option elections for certain cities located in more than one county.

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

SECTION 1. Subchapter A, Chapter 251, Alcoholic Beverage Code, is amended by adding Section 251.20 to read as follows:

Sec. 251.20. ELECTION IN CERTAIN CITIES AND TOWNS: BEER AND WINE. (a) This section applies only to an election to permit or prohibit the legal sale of beer and wine in an incorporated city or town that has a population of less than 150,000; and

(1) is located in three counties:

(A) one of which has a population of more than 2 million but less than 2.5 million; and

(B) one of which has a population of more than 1 million but less than 1.5 million; and

(C) one of which has a population of less than 150,000.

(b) The ballot in an election under this section shall be prepared to permit voting for or against "The legal sale of beer and wine for off-premise consumption only."

(c) An election under this section shall be conducted by the city or town instead of the county. For purposes of an election conducted under this section, a reference in this code:

(1) to the county is considered to refer to the city or

1 town;

2 (2) to the commissioners court is considered to refer
3 to the governing body of the city or town; and

4 (3) to the county clerk or registrar of voters is
5 considered to refer to the secretary of the city or town; and

6 (4) to the county judge is considered to refer to the
7 mayor of the city or town.

8 (d) The city or town shall pay the expense of the election.

9 (e) An action to contest the election under Section 251.55
10 may be brought in the district court of any county in which the city
11 or town is located.

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