

By: Hope

H.B. No. 2461

A BILL TO BE ENTITLED

AN ACT

relating to local option elections relating to the sale of alcoholic beverages.

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

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

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

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

(a) The [~~Except as provided by Subsection (b) or (c), the~~] commissioners court, at its next regular session after the petition is filed, shall order a local option election to be held on the issue set out in the petition if the petition is filed with the registrar of voters not later than the 90th day [~~30 days~~] after the date on which it is issued and bears [~~in the actual handwriting of the signers the following:~~

[~~(1)~~] the [~~actual~~] signatures of a number of qualified

1 voters of the political subdivision equal to 20 [~~35~~] percent of the
2 registered voters in the subdivision in which the petition is
3 circulated on the date the petition being circulated is issued[+

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

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

8 SECTION 3. Section 277.001, Election Code, is amended to
9 read as follows:

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

15 SECTION 4. Sections 251.10(b), 251.11(b), and 251.80,
16 Alcoholic Beverage Code, and Section 251.11(c), Alcoholic Beverage
17 Code, as added by Chapters 1001 and 1062, Acts of the 77th
18 Legislature, Regular Session, 2001, are repealed.

19 SECTION 5. The changes in law made by this Act apply only to
20 a local option election for which an application for a petition is
21 filed on or after the effective date of this Act. A local option
22 election for which an application for a petition is filed before the
23 effective date of this Act is governed by the law in effect
24 immediately before that date, and that law is continued in effect
25 for that purpose.

26 SECTION 6. This Act takes effect September 1, 2003.